

MINUTES
OF THE
ENVIRONMENTAL PROTECTION COMMISSION
MEETING

MARCH 20, 2000

WALLACE STATE OFFICE BUILDING
DES MOINES, IOWA

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MEETING MINUTES

CALL TO ORDER

The meeting of the Environmental Protection Commission was called to order by Chairman Townsend at 10:00 a.m. on March 20, 2000, in the Wallace State Office Building, Des Moines, Iowa.

MEMBERS PRESENT

Elizabeth Christiansen
Randal Giannetto (absent after 3:15 p.m.)
Darrell Hanson (arrived 10:15 a.m.)
Rozanne King, Secretary
Kathryn Murphy
Gary Priebe
Terrance Townsend, Chair
Rita Venner

MEMBERS ABSENT

James Braun

Chairman Townsend stated that James Braun phoned to say he had a conflicting meeting in Washington, D.C. and would not be able to attend the meeting today.

ADOPTION OF AGENDA

The following adjustments were made to the agenda:

- Add: Appointment – Doug Herman, Affordable Asbestos Referral (Item #14a) 1:00 p.m.
- Add: Appointment – Gary Meyers, Swine Graphics Referral (Item #41b) 1:30 p.m.

Chairman Townsend noted that a request was made to take up Item #6, Integrated Solid Waste Management – The Future, at 11:00 a.m.

Motion was made by Gary Priebe to approve the agenda as amended. Seconded by Kathryn Murphy. Motion carried unanimously.

APPROVED AS AMENDED

APPROVAL OF MINUTES

Motion was made by Rozanne King to approve the meeting minutes of February 21, 2000 as presented. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

DIRECTOR'S REPORT

Paul Johnson, Director, acknowledged and welcomed Representative Hahn who was in attendance at the meeting. He noted that Roya Stanley would be taking a position in Colorado and this would be the last Commission meeting she would attend. He related that he and the staff really admired Roya's work over the years and will miss her a lot.

Director Johnson stated that the Department is continuing to work with the legislature on the budget for next year, which is a major issue at this time. He related that he is somewhat concerned with appropriations to make sure there is sufficient funding for the Department over the next year. Director Johnson noted that a number of the Department legislative proposals did not get brought up this year, but he will continue to work with the legislature to get them in next year. He related that the staff is working hard on the water quality initiatives and it is going well. He noted that a related effort is how we deal with data from monitoring and the Department is continuing to work with interest groups to make sure it does not end up too difficult to use the data once it is finally available. Director Johnson added that the Department is continuing to work with the legislature on that issue to try to craft good language.

SOLID WASTE ASSISTANCE PROGRAM – TARGETED PROJECT

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

I. Project Description

This is a joint project between the Iowa Motor Trucking Association, several independent trucking firms across Iowa, and Environmental-Systems (a private for profit company). The goal of the project is to demonstrate an alternative oil filter for semi-tractors designed to increase the number of miles driven between oil changes.

Most trucking companies change oil at 20,000 to 30,000 miles and average 120,000 miles driven per year. The combination cleanable/by pass oil filter, to be demonstrated, will allow the trucks to travel at least 60,000 miles without an oil change. This will result in fewer used oil filters and less used oil being generated.

The applicant will work with 8 to 10 Iowa trucking companies and potentially the Iowa Department of Transportation participating in the pilot project. A comparison between standard industry practices to those practices related to this alternative oil filter system will be made. Detailed records will be kept on such factors as:

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|----------------------------------|--|
| Filter installation | Miles driven |
| Oil testing at regular intervals | Cost accounting and comparison |
| Engine-related problems | Vehicle performance and participant testimonials |

II. Benefits to the state

This pilot project will reduce the generation of used oil and used oil filters in the motor trucking industry. Based on 120,000 miles driven in one year, oil changes at 60,000 mile intervals, and 500 filters installed, there will be up to 1,000 fewer used oil filters generated and 10,000 gallons of used oil saved over a one year period and reducing the potential for environmental contamination.

Discussions continue with the Iowa Dept. of Transportation (DOT) who has expressed real interest in participating in the project. DOT vehicles that could be outfitted with the alternative oil filter system include dump trucks, snow plows, road graders, etc. leading to a significant cost savings to the state through avoided purchase and disposal costs.

III. Benefits to Iowa Trucking Companies

Significant cost savings would be realized by each company implementing this alternative oil filter system through avoided purchase and disposal costs. Filtering smaller particulates than a standard oil filter can remove will also reduce engine wear, engine maintenance and extend the engine life. In the event Iowa passes a used oil filter landfill ban, reducing a company's used oil filter and used oil waste streams by 50 percent will also result in substantial avoided disposal costs.

For example, one Des Moines based trucking company, who has committed to participating in the pilot project, has 3,000 trucks. This company could save 6,000 oil filters and reduce waste oil by 60,000 gallons in just one year.

IV. Award

The Department would offer up to \$75,000 as a forgivable loan for the purchase of cleanable/by-pass oil filtration systems and filter elements.

Program participants will provide a match based on costs associated with oil purchases, oil testing at regular intervals for each engine, labor and materials for filter system installation, preparing and submitting regular comparison reports, sponsor a project promotional open house, and through the value of participating semi-tractors.

At this time, the Department requests Commission approval to enter into a contract subject to satisfactory negotiation of budget, match, and deliverables.

Ms. Stanley reported that she has accepted a position with the National Renewable Energy Laboratory in Golden, Colorado. She told the Commission she has enjoyed her tenure as Division Administrator for WMA Division and appreciated working with them. She related that she has appreciated the Commission's support and their tough questions, adding that it has made

her job interesting and helps one to improve. She added that she is proud to have been in Iowa and to have worked with the DNR and the Commission.

Discussion followed regarding cost savings to trucking companies; oil filter recycling; and reusable housings.

Motion was made by Randal Giannetto to approve the Solid Waste Alternatives Program Targeted Project as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

NEW COMMISSIONER

Chairman Townsend introduced new Commission member, Darrell Hanson, and welcomed him to the Commission.

Darrell Hanson, Manchester, provided background information on himself and related that he is currently the Delaware County Extension Director.

Director Johnson commented that he had the opportunity to serve with Darrell Hanson in the legislature and was always impressed with Darrell's understanding of the issues dealing with the environment. He welcomed Commissioner Hanson to the EPC.

WASTE TIRE MANAGEMENT FUND PROGRAM – PROGRESS AND UPDATE

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

This brief is designed to provide the Commission with an update on the progress of the specific programs established through the waste tire management fund, and to summarize important issues and activities related to waste tire management in Iowa.

Waste Tire Management Fund Goals

Iowan's generate 3 million waste tires annually (that's one waste tire per person, per year). While only accounting for 1% of the solid waste stream, waste tires have been banned from landfills since 1991. Therefore, it is important to ensure that these waste tires are properly managed, as improper disposal of waste tires causes many threats to the quality of the environment and public health.

Recognizing the importance of this issue, in 1996 The Iowa General Assembly passed comprehensive waste tire legislation (HF2433) designed to promote and accomplish the following goals:

- Proper management of waste tires by citizens
- Clean up of waste tire stockpiles
- Expansion of end-use markets for products produced from waste tires.

The legislation established a waste tire management fund, with a total of \$15 million allocated to the Department over six fiscal years (1997-2002) to establish programs and activities to meet these intended goals.

Since the implementation of these programs by the Department, waste tire recovery in Iowa has increased to over 125% of annual generation, with over 3.75 million waste tires sent to markets in Iowa and throughout the Midwest in 1999. Specifics on program components and progress is as follows:

Waste Tire Management County Grant Program

One of the tire fund's key public outreach programs in the Waste Tire Management County Grant Program. This program sponsors an annual competitive grant round, where individual counties may apply to the Department for funding to promote and encourage proper waste tire management by Iowa citizens.

Since the program's inception in the fall of 1996, \$3.7 million has been granted to counties with the following results:

- 94 counties have participated, most for a period of 2-4 years each
- 3 million waste tires have been properly collected and sent to end-use markets through local "amnesty" tire disposal days.
- Educational programs have been developed to educate citizens on:
 - the environmental hazards of improper disposal
 - preventative tire maintenance to increase tire life and reduce waste
 - proper disposal options available

Recent highlights of these educational programs around the state have included the following:

- A tire educational video developed jointly between the Department and the Southeast Iowa Multi-County (SEMCO) Landfill has been distributed statewide for use in junior and senior high school science and drivers' education classes.
- A cooperative waste tire management mass-media campaign has been developed by 23 counties, each sharing a portion of their county grant funds in order to sponsor this campaign which will begin this Spring. Aspects of the mass-media campaign include:
 - An initial survey of the public to determine knowledge and attitudes toward waste tire management issues

- Demographics and marketing data to be used to determine the most effective media to use (i.e. - television, radio, newsprint, billboards)
 - Slogans and themes to be developed to promote proper tire disposal and tire maintenance issues
 - Follow-up surveys to be conducted to determine how this information affected attitudes and understanding of waste tire management issues
- The Department will also be developing a waste tire educational “tool kit” of templates and guidelines to assist individual counties in developing brochures, ads, posters, and other waste tire management educational items

Regents’ Tire-Derived Fuel Program

Iowa’s three (3) State Universities are encouraged to blend shredded waste tires with their normal fossil fuel (coal) for energy production through the Regents’ Tire-Derived Fuel (TDF) Program. The Regents may receive up to \$100,000 per year to assist them in offsetting the additional cost of purchasing and using TDF. Currently the University of Iowa is the only Regents institution consuming TDF, with an existing consumption capacity of the equivalent of 200,000 tires annually.

Funds available through this program may also be used by the Regents’ for costs related to research, design, and permit fees to encourage further TDF expansion.

Waste Tire End-User’s Incentive Program

This program is directly focused on expanding significant Iowa markets for products derived from processed waste tire products. Through legislative amendments passed in 1998, up to \$300,000 is available annually to Iowa industries and projects that qualify for the program. End-users receive reimbursement of 50% of their costs to acquire processed waste tire materials (up to \$10 per ton) from Iowa based processors.

Since it’s inception this aspect of the program has increased Iowa consumption of processed waste tire products by over 1 million waste tires per year. Specific industries and projects that have been involved include:

Holnam Cement, Inc. of Mason City Holnam has reduced it’s overall cost to acquire tire-derived fuel (TDF) from Iowa based processors by an average of 40%, while at the same time Iowa based processors have seen an increase in the sale price of TDF by more than 20%

Construction of Landfill Leachate Collection Systems A number of Iowa landfills have displaced using sand and gravel in the construction of leachate collection systems in favor of using shredded waste tire chips. The incentive program has provided reimbursement that reduces the cost to acquire tire chips below that of the cost of equivalent amounts of sand and gravel. Once installed, landfills have noted that the chips provide better drainage of leachate into collection systems, and less maintenance on pumps and other system equipment.

During this year alone, the Black Hawk County Landfill anticipates using over 2 million shredded tires in the construction of the landfill's leachate collection system. Other landfills around the state have already consumed over 2 million waste tires through this program.

Waste Tire Stockpile Abatement Program

One of the most visible aspects of the tire management fund is the Waste Tire Stockpile Abatement Program. Through this program the Department has issued contracts for the dismantling of nuisance waste tire stockpiles that pose hazards to the environment and public health.

In 1996 the Department completed surveys that noted 50 stockpile sites, containing an estimated 5.5 million waste tires. Since that time an additional 29 sites have been reported, bringing the total to over 9 million waste tires (the Tire Chop stockpile in Ft. Dodge contains an estimated 3 million waste tires.)

Contracts completed and in progress have accounted for the effective recovery of 5 million of these noted tires, as follows:

- 20 stockpile sites cleaned up (2.4 million tires)
- 9 stockpile sites in progress (2.6 million tires)

Contracts will be issued for fiscal year 2001 to cleanup stockpiles in the following areas:

- Marshall County – 2nd largest stockpile site remaining
- Northwest Iowa “regional” project
- Northeast Iowa “regional” project

Ervin (Otho, Iowa) Stockpile Abatement Project Update

The largest abatement project currently underway is the clean up of the Don Ervin stockpile site located just south of Fort Dodge, near U.S. Hwy. 20. It is estimated that over 3 million waste tires are contained at this site. Greenman Technologies of Minnesota began abatement operations at this site in July of 1999.

Progress on Clean Up:

- 1 million waste tires already recovered from the site (10,000 equivalent tons)
- 20% ahead of schedule, based on a two-year window of completion for the project
- abatement operations are conducted Monday-Friday, year round
- Greenman Technologies loads 5-8 semi truckloads of tires per day
- Tires are hauled back to Greenman's plant in southern Minnesota and shredded for TDF
- Greenman then markets TDF to Holnam Cement, Mason City, and to power plants in Wisconsin and South Dakota

- UT Tire Recyclers of Des Moines hauls 1-2 loads per week from the site and processes them at their Des Moines plant.

County Involvement:

- The Webster County Engineer's Office has provided services to keep the paved road in front of the facility free of mud and debris as transport semis leave the site in all types of weather
- The Webster County Sheriff's Office has increased patrols in the area to deter dumping and prevent vandalism on site
- In February the Webster County Engineer's Office brought 500 waste tires (1/2 of a semi load) to the Ervin site; they had collected these tires from ditches and open dumping in the County. These tires were incorporated into the existing Contract for cleanup. This is one of the activities the Department commonly pays for within the County Grant Program.

Current Tire Business on the Site:

- Mr. John Pede, a local businessman, has operated an off-the-road (OTR) used tire sales business in the building at the site for the last two years.
- Mr. Pede does not own the property
- The site owner, Mrs. Judy Mallenger of, Liberty Mills, Texas, has agreed to discontinue any further storage, handling, or processing of waste tires so long as she owns the property
- Mr. Pede is seeking purchase or rental agreements elsewhere, and plans to move the operation
- Department field office staff and WMAD staff have monitored Mr. Pede's operations, and informed him that he may not dispose of any of his own waste tires within the existing stockpile on site

Contract Award Process for Cleanup:

- Contractors submit bids; awards are based on a combination of price competitiveness and abilities
- 100 total points can be awarded
- 60 points for evidence of markets, demonstrated abilities, plan for cleanup
- 40 points for lowest price submitted (then 1 pt. is subtracted from competing bids for every dollar per ton higher those bids may be)
- Other States use a similar process:
 - Wisconsin also uses a 100 point bid evaluation systems, with 30 points for low price, and 70 points associated with demonstrated markets and abilities of the bidder
 - Minnesota uses a 50 point system, where bidders may receive up to 30 points for demonstrated markets and abilities of the bidder

Criterion Used to Determine the Abilities of the Bidder:

- Evidence of End Markets – Bidder must have contracts or purchase orders equal to or greater than the number of tires to be removed
- Processing Capacity – Bidder must demonstrate their ability to effectively process the tires either through current capacity or documented expansion plans necessary to meet project deadlines and other obligations.
- Experience – Bidder must have appropriate experience that will allow them to effectively complete project, with appropriate, skilled personnel for management and completion of the project, without delay caused by unfamiliarity with work required.

Outcome of the Ervin site Bid Process:

- Five (5) bidders responded to the request for proposals
- Based upon the criteria listed above, Greenman Technologies of Minnesota received a score of 87.6 points; second highest score was UT Tire Recyclers with a score of 74.3
- Pricing points were assigned using the established formula, resulting in a 1 point difference between the two firms on price
- Criteria that impacted this award included documented end-markets, detailed work plans, past experience and available equipment.

Madison/Warren Stockpile Abatement Project Update

- Six (6) locations in Madison and Warren Counties are currently under Contract for Cleanup
- Estimated total of 140,000 tires – project to be completed by June 30th
- Greenman Technologies was sole bidder on project – Six (6) firms received bids
- Bid price was \$238 per ton for cleanup
- Site presents extremely difficult site access conditions, as tires are stored in tree-lined ravines, with off-road access only
- Site conditions and contract price are similar to abatement contracts awarded in other states for like work
- Greenman Technologies has removed 50,000 tires from the first project site, using tracked excavators and specialized recovery trucks for on-site movement of the tires
- UT Tire Recyclers of Des Moines, is picking up the tires once they have been moved to a “staging” area on flat, level ground, directly accessible by semi-trucks. Greenman Technologies will ensure that all contract timelines are met, and will haul and process to their own facility as necessary, subject to the abilities of the sub-contractor.

These updates are provided for the Commission’s information and interest in the progress of the waste tire management fund programs.

Ms. Stanley introduced the item and related that Mel Pins would provide an update on these issues.

Mr. Pins provided a brief overview on the status of tire markets at this point. He noted that tires are only 1% of the solid waste stream but they cannot be landfilled. That figure would average out to be one tire per person each year in Iowa. He displayed a pie chart showing the breakdown of 1999 Iowa scrap tire markets. He stated that Holnam Cement and University of Iowa use tire derived fuel from shredded rubber. Mr. Pins spoke about the uses for shredded and whole tires as well as benefits derived from those tires. He also discussed the Waste Tire Management Grant Program; the Regents TDF Program; Waste Tire End Users Incentive Program; and the Waste Tire Abatement Program. Mr. Pins displayed a chart showing the location of tire stockpiles across the state and pointed out which areas have been cleaned up and which remain to be cleaned. He related that the remaining sites in NW and NE Iowa will be done on a regional bid. He further explained the bidding process and criteria used in choosing contractors to do the tire clean up projects. Mr. Pins reported that the Don Ervin site contained an estimated 3,000,000 tires and Greenman Technologies have recovered 1,000,000 tires from that site. He added that Greenman is 20% ahead of schedule at this time, and it is anticipated that the cleanup will be completed by the end of the year. He noted that the Department pays the contractor on a tonnage basis and they are paid only for the tonnage that is removed, processed and documented. He related that the contractors remove the sand, gravel and ice before processing the tires, so the Department is not charged for those things.

Brief discussion followed.

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PUBLIC PARTICIPATION

Garth Frable (white goods; bottle bill)

Garth Frable, Executive Director, Iowa Recycling Association (IRA), distributed copies of materials/newsletter about the Iowa Recycling Association. He spoke about white goods ending up in ditches and the proper handling of white goods. Mr. Frable noted that the IRA developed a handbook on environmental regulations for appliance processors. He related that they also provided a workshop for white goods processors on how to properly manage white goods so they do not cause environmental hazards. Mr. Frable stated that the IRA had a training session for the DNR field offices and representatives from only two offices showed up. He noted that he would like to ask the Commission and Department to make an effort to have consistent and uniform enforcement of the white goods regulations in Iowa. He stressed that enforcement is really needed as it will help everyone to come up to the next level.

Mr. Frable stated that he is also representing a group called the Beautiful Land Coalition, which includes a number organizations representing about 10,000 Iowans. He said they are interested in moving beyond the discussion of whether to repeal or keep the Bottle Bill, and would like to take it to the next level to expand it to all those containers not covered such as water bottles, juice and ice tea containers, etc. He noted that in the materials he handed out there was a brochure on the Bottle Bill itself as well as one on why it should be expanded. Mr. Frable stated that this is a bi-partisan group and that Terry Branstad is the Chairman of the Beautiful Land

Coalition and he has been very up front on working with this group to get the debate on to expansion instead of repeal.

Judy Anderson Bruner (C.R. landfill site)

Judy Anderson Bruner, Ely, stated that in the interest of time, rather than speak she would submit the following written statement along with some photos showing debris at the current landfill in Cedar Rapids.

“To issue a permit for a landfill, you must be certain that the project is designed, located, and proposed to be operated so public health, safety, and welfare will be protected.

When evaluating projects such as landfill sitings, engineers and other professionals should adhere to their code of ethics, and should present the most reliable, technically valid, and complete picture of all the issues involved. Deficiencies should be outlined independent of the position, interests, and goals of the client involved. Unfortunately, this is often not the case, but instead, the problem is presented in an adversarial way, presenting only what benefits the client. It is then left to the “other side” to bring out the discussion of weaknesses of the project. (Lee and Jones-Lee 1995). This is why we are here today.

This landfill is proposed to be sited in an area that is currently residential, including about 200 homes in a 2-mile radius of the landfill. In the city’s long term plan, this area is listed as suburban and low density residential. Given the potential problems with landfills, and some of the potential health risks for residents in the area of landfills, it doesn’t seem appropriate for landfills to be sited in residential areas.

Living near a landfill creates well-documented health risks for residents from water, soil, air, and noise pollution. Hazards are generated by management practices, which we have seen today may not be the best in our area, as well as geology, and engineering of the landfill. In 1988 the EPA instituted the first federal standards intended to make landfills safer. Although new landfills provide better control, they are far from problem free, and some experts feel that there has not been adequate time to prove that there will be a decrease in environmental pollution. Residents living near landfills constructed using the 1988 standards continue to experience problems with noise, traffic, odors, and pests. (Taylor, 1999)

In addition to concerns related to water and soil pollution, air pollution is a major concern in areas surrounding landfills. Health problems related to air pollution occur at relatively low levels, (Zmirou, Deloraine, et. al., 1999) and include increased asthma rates, increased costs of medications for respiratory problems, (Koenig, 1999) and more visits to doctors, hospitals, and emergency rooms. (Lin, Martins, et. al., 1999); Zmirou, Deloraine, et. al., 1999). Air pollution can cause chronic inflammation (Hirua, Kaszubowski, et. al., 1999) and damage to lung cells. (Seaton, Soutar, et. al., 1999). These effects occur with even short term exposure to pollutants. (Jedrychowske, 1999) Air pollution is also linked to altered heart rates (Peters, Perz, et. al., 1999) and higher death rates in older people. (Seaton, Soutar, et. al., 1999).

Truck traffic and construction at the site will also create constant noise during the working day. Exposure to increase noise levels has long been known to increase stress levels and have harmful effects on human health (Kandela, 1999).

In a previous letter I provided information related to increased cancer rates, increased rates of low birth weight infants, and increased rates of anomalies in infants born to women living near landfills. I would urge you to carefully consider all of the potential risks to our health when deciding if this landfill should be granted a permit to operate.”

Chairman Townsend remarked that the Commission has not received any action item dealing with the proposed landfill and added that he wanted to make everyone aware of that.

INTEGRATED SOLID WASTE MANAGEMENT – THE FUTURE

Roya Stanley, Division Administrator, Waste Management Assistance Division, presented the following item.

The state of Minnesota has been proactive in their approach to solid waste management. Minnesota has recently taken a bold step forward by developing a plan that includes the elimination of landfills throughout the state by 2006. The Minnesota Office of Environmental Assistance (MOEA) is advocating a new solid waste system based upon the principles of sustainability and the benefits of resource conservation. Other strategies in Minnesota's new plan include moving government, business and citizens to take greater responsibility for the impacts of their consumption.

The Iowa Department of Natural Resources' Waste Management Assistance Division (WMAD) is working to update its integrated waste management plan. The comprehensive planning process is currently being reviewed as part of a strategic planning sub-committee. The sub-committee, comprised of WMAD staff and solid waste professionals from across the state, is investigating plans from other states, including Minnesota. Additionally, WMAD has funded a study that evaluates and quantifies the resource conservation benefits of Iowa's efforts. Through the sub-committee process and the review of current strategies, WMAD believes a proactive plan will be developed for the comprehensive planning and management of solid waste throughout Iowa.

Staff representing the MOEA will discuss the details of Minnesota's new solid waste plan.

Elizabeth Christiansen acknowledged and welcomed Representative Ro Foege, Linn County, and thanked him for coming to the meeting. She noted that Roya distributed information about the Integrated Solid Waste Management Strategic Plan Update. She related that they have been working for 6 – 9 months on evaluating the system and implementation of those activities in Iowa. She noted that she has been working on a Comprehensive Planning Committee with solid waste agencies and has been evaluating comprehensive plan rules for solid waste management. Commissioner Christiansen welcomed the people from Minnesota and related that they will present the findings of their biennial solid waste management report. She noted that when a state makes a significant change in its solid waste management policies it necessarily affects its neighbors, so it is important for the Commission and the Department to know what is going on in Minnesota. Commissioner Christiansen introduced Sherry Enzler, Director of the Minnesota Office of Environmental Assistance and Rick Patraw and Paul Smith, Project Managers in that office.

Appointment – Sherry Enzler

Sherry Enzler, Director of Minnesota Office of Environmental Assistance, stated that their Solid Waste Policy Report is prepared every two years by her office to give the legislature the status of waste generation in Minnesota. She related that this time they did some data projections and as a result of those projections made some fairly strong policy recommendations. Ms. Enzler stated

that Rick Patraw will speak about solid waste trends in Minnesota and the consequences of those trends, and Paul Smith will talk about the benefits of reducing, recycling and recovering waste. She added that they will also discuss the policy report recommendations. Ms. Enzler presented a detailed historical overview of where Minnesota has been in the handling of waste. She noted that the goal is to move away from landfilling and look at alternatives for handling solid waste.

Appointment – Rick Patraw

Rick Patraw, Project Manager, Minnesota Office of Environmental Assistance stated that he and Paul Smith were given the charge to look at zero waste opportunities and began by looking at the state's waste generation. He related that they learned that their waste growth was far exceeding their population growth. He displayed waste generation charts showing their waste system distribution in 1998. Mr. Patraw discussed comparison of U.S. and Minnesota trends relating that Minnesota landfills one half of their waste as compared to 55% nationally. He further discussed MN. recycling rates; MN. Municipal Solid Waste (MSW) Generation; Resources Recovery Capacity; MN. MSW Landfilled from 1991-1998; MN. MSW Landfilled in Adjacent States 1991-1998; MN MSW Exported to Iowa Facilities in 1998; Out of MN. Facilities Receiving MN. MSW in 1998; Projected MSW Generation in MN.; Projected MSW Landfilling 2000-2010; and Ultimate Permitted Capacity Until 2010.

Appointment – Paul Smith

Paul Smith, Project Manager, Minnesota Office of Environmental Assistance stated that they were very concerned with the trends they were seeing in Minnesota in terms of waste growth and stagnant growth in stabilizing of the recycling system. He related that those were some issues they brought into the preparation of the Policy Report. He discussed the Solid Waste Policy Report fundamental objectives and assumptions and expanded on each of those objectives. He further discussed Research of the Life Cycle System Analysis; Results – Phase I, 1996; Phase II, 1991-1996; Results per Ton; Conclusions of the Study; Methods of Processed Waste, Life Cycle Analysis as Applied to 2008 Policy; and Research-Economic Benefits of Recycling.

Sherry Enzler discussed the Policy Report Main Strategies as follows: 1) Treat waste as a resource; 2) Encourage stronger communities; 3) Articulate the benefits of an integrated system that reduces and recycles and recovers waste; 4) Increase the sense of individual responsibility for our environment; 5) Provide comprehensive environmental education; and 6) Public entities and institutions must serve as leaders. She further discussed the Policy Report Main Policies as follows: 1) Eliminate the landfilling of unprocessed MSW by 2008; 2) Produce stewardship; 3) Procurement; 4) Changes to solid waste planning and SCORE recycling laws; and 5) Environmental Education.

Mr. Smith covered the Policy Report Research Initiatives; Case Examples – MN. Companies Leading the Way; What Do Others Think; and How can MN. Work with Iowa and other Upper Midwest States by sharing data bases, sharing research, and consider forming an Upper Midwest group to dialogue on interstate waste issues. In closing, he quoted the following Kenyan Proverb

“Treat the Earth well it was not given to us by our parents It was lent to us by our children.”

A lengthy discussion took place regarding various aspects of the report.

Director Johnson asked how many employees are in the Waste Management Assistance Division in Minnesota.

Ms. Enzler replied that there are 80 employees in her office and 50 in the permitting area.

Chairman Townsend thanked the Minnesota group for their presentation to the Commission.

PUBLIC PARTICIPATION (CONTINUED)

Ken Vogel (C.R. landfill site)

Ken Vogel, Ely, spoke about the proposed landfill near Cedar Rapids relating that a 425 acre terrain on the site is full of springs which feed the stream running through the area. He added that in looking at the topography of the area 800 acres will have to be filled in and they should not put fill on top of the springs. Mr. Vogel noted that there is supposed to be a plant and animal study taken on the area this year, but he does not know how they can do a good study when destruction is taking place. He related that the overburden from the quarry is being used to fill ponds in the area. He requested that when an application for a permit is submitted to the Department that there be a local hearing, on-site, in the Cedar Rapids area.

Joanne Popelka (C.R. landfill site)

Joanne Popelka, Ely, stated that she is an organic farmer from Linn County. She related that she and her late husband, along with his mother, fought eleven years ago to stop a proposed landfill on the same property now being proposed for a new landfill. She added that she feels they wasted two of their last years for nothing. She stated that her son is a fourth generation farmer and she is submitting his letter to Paul Johnson, which she read as follows:

“Dear Mr. Johnson - I am a certified organic farmer in Linn County living NE of the “proposed” Bluestem landfill. I have been certified for 4 years through Chapter 1 of Iowa - Organic Crop Improvement Association (OCIA). I have been farming organically for 12 years.

Enclosed is a copy of a 12/6/99 Gazette article (unsolicited – a reporter heard my concerns at a meeting) that states my fears for the future of my organic operation.

As stated in the article, since it has not been approved finally, I can only speculate the future consequences to my operation. I believe by law I have no recourse until contamination of my wells occurs or some other detrimental effect – such as odor, rodents, debris, etc. (some of my certified rental ground is not only contiguous but very close to the “proposed” footprint of the landfill). By then, it would be too late for my operation and all the surrounding residential well users. These environmental impacts need to be considered now before approval or permitting. The “engineered proposal” with a liner that is only guaranteed for 20 years is not enough – the landfill for 50 years, 100

years and forever above fractured limestone and over a major aquifer must be considered in your decision on permitting this landfill -- because the liner will fail!

Local Siting Approval – Since 6/1/99 when this site was announced, the same people who are “asking” for approval (Bluestem Board – majority is Cedar Rapids Mayor and 4 Commissioners) – are the same people who “give” approval. There are no “checks and balances” for the citizens adjoining this proposed site (who are county residents). Now, the C.R. City Council (who are also Bluestem Board members) has changed the city’s “Essential Services” Ordinance to include landfills 6 months after announcing this site – thus circumventing the law which requires them to go for rezoning to site this landfill.

Cedar Rapids drafted and approved an ordinance #15-99 on 3/10/99 dealing with sanitary landfills saying:

The purpose of the Solid and Hazardous Waste Facility District is to protect the public health, safety and general welfare by providing a specific zoning district for the use of land for the establishment and operation of Solid And Hazardous Waste Facilities. Because these uses are so unique, their demands upon public services are so intense, and their potential for causing harm to the environment, to surrounding uses, and to the public health, safety, and general welfare is so great, a special zoning district is necessary.”

Then, eight months later, they changed the ordinance to include landfills in “essential uses” (which requires no rezoning), eliminating the obstacle of rezoning to Industrial in the middle of Agricultural and Low Density Residential area. All of a sudden the above quoted paragraph is not important!

I realize that your department cannot be involved in the local political issues, but I thought you could at least understand the extreme frustration that the citizens adjoining and affected by this proposed site are experiencing. There isn’t much defense against local officials who want this proposed site and also have the power to change the ordinances as we go through this local process. Our only recourse is COURT! That only adds more stress and impact to our lives. I don’t think this neighborhood will ever give up fighting this landfill siting until every single possible court case has been heard.

I realize your department has both the responsibility of approving and “permitting” landfills and also “protecting” our State’s rivers and groundwater. The suggestion was made at the Regional REAP Assembly in Cedar Rapids on February 10th of this year that the same concern for the environment, rivers and streams that is being asked for in siting hog lots also be given to siting landfills. I hope that is being given serious consideration. I hope your department looks very, very carefully at this site. Its close proximity to the Cedar River, the fractured bedrock, the Plum River Fault and its unknown anticlines, the blasting on this property for 50 years, the thousands of tons of fly ash deposited there 12 years ago, the steep-sloped ravines and history of erosion on this property as evidenced by a pending lawsuit, the many springs and streams on both sides of the proposed footprint of the landfill - - all pose the threat of potential environmental disasters and contamination of the 200-300 wells directly surrounding this site and all other users of water from this aquifer and river.

I realize Bluestem may meet all the rules and laws in place presently to side this landfill, but could any legislators have ever imagined someone asking for a landfill 200 feet above and 1000-1500 feet from a major river? I don’t know what discretionary powers your department has - - I can only hope.

I submit these comments and attached Gazette article with the intention of giving you a better understanding of a “neighbor’s” concerns. Thank you for your consideration. Respectfully, Mark Popelka.”

Ms. Popelka asked the Commission and Department to give serious consideration when reviewing the site for permit. She related that the landfill, if deemed necessary, can be located on a more suitable site but the river cannot.

Bernita Rosinek (C.R. landfill site)

Bernita Rosinek, Ely, presented the following statement to the Commission.

"I understand that at the last EPC meeting Blue Stem talked to you about the Focus Group and the Citizens Advisory Committee also known as the CAC that before the announcement of the new landfill there were eight focus meetings. Seven of those were videotaped. I checked the videos out from Blue Stem and a couple of neighbors and I watched the videos. Blue Stem said that after the meeting the Focus Group concluded that a new landfill was needed. This is not true. At the very first meeting when they were told that a new landfill was needed. Jim Hall, consultant for Foth and VanDyke, says there is always a landfill, it doesn't necessarily mean it has to be your landfill, it may turn out that a landfill from Illinois can take your waste.

At a later meeting the Focus Group decided to deal with their own garbage and not sent it out of state. I would still like to know the rationale behind dealing with their own garbage is by putting it in my backyard. This is not dealing with garbage. By burying garbage, you are leaving it for future generations to deal with. I have enclosed a copy of the review we have done of the Focus Group tapes. We are very upset with the fact that this will probably become a regional landfill.

I have included a copy of a 1991 Cedar Rapids Gazette article talking about finding a new landfill. David Hogan, who works for Blue Stem landfill, said a more likely scenario involved area cities and counties teaming up to operate a remote landfill. Because it contains the bulk of the area population, Cedar Rapids would likely be the driving force behind the proposal. I also have a copy of a paper from Blue Stem's website mentioning a regional landfill. Linn County is a member of ECOG and they stress regionalization. This site is close to highways 30 and 13, and I-380, and also a paper at the Kirkwood College library stated that one of the reasons they chose this site was because there was room for expansion.

Joanne Popelka and I attended a regional planning commission meeting in Cedar Rapids on Wednesday, February 23, and a larger version of this map was hanging on the wall. The previous plan for a new bridge across the Cedar River was a lot farther West. We asked Sam Bernado, a city engineer in charge of regional planning, when the bridge was moved Eastward, and he responded "a couple of months ago." On December 22, 1999, two months earlier, local siting approval was given for the landfill. The East Post road will come straight South and cross highway 30 and on to the South. Sam Bernado said that he had spoken to Tim Hall, consultant, in the fall of 1999. All that Foth and Van Dyke has to do with building the road to from the site to highway 30, why was he talking to regional planning. I would like to know how you put a four lane road and a landfill in the same property. There goes the buffer that has been bragged about and traffic will be a terrible problem.

I have offered in my packet of papers a letter from Dr. James and Nancy Colbert. Dr. Colbert is a Professor of Botany from ISU. The letter is dated June 2, the day after the announcement of the landfill. The letter states that Bill Hennessey gave The Nature Conservancy and himself permission to inspect this land. He believed the land would be a misuse of our natural resources. He states "the Nature Conservancy has had this valuable site on their records for some time, however, as with all non-profit agencies, the money to buy the land is not always available at the time. To date, as far as I know, no offer has been made to Mr. Hennessey although the property was judged to be worth preservation. Perhaps a joint effort of the City of Cedar Rapids and the Nature Conservancy could raise the funds to preserve this area instead of turn it into a dump." This letter was presented to the City Council, which they ignored.

When we were fighting the fly ash dump eleven years ago, we hired an engineering firm to examine and evaluate everything that was turned in to the DNR. Eugene Hickok and Associates performed more than one review of the permit application. I've included a cover letter from one of the reviews. Some application deficiencies have to do specifically with fly ash for the method of disposal at that time but the two I highlighted have to do with the geology of the site itself. Those two points are: 1) the site does not meet groundwater separation requirements even during drought periods, and 2) The site does not meet downward leakage requirements. This was written by Larry Crane, Vice President of Hickok and Associates, and he was head of the department when it was called the Department of Environmental Quality. The DNR did eventually deny the permit eleven years ago but it was very costly on our part to hire an engineering firm. We would like to avoid that this time around.

We have had many ongoing problems with erosion from this site. Our land borders the Hennessey property. It started in 1988 when a road was cut next to our fenceline. Gene Walsh came out and inspected and at that time he was the Linn County District Soil Conservationist, and I brought some pictures of the problems at the fenceline. In September of 1997 the overburden pile from the quarry washed onto our property and into our pond. The Department of Agriculture filed a notice of violation followed by an administrative order with an attached fine. The soil commissioners also filed a notice of violation. They didn't follow with an administrative order and nothing more was done. The DNR issued a notice of violation and an administrative order with attached fine on February 28 of this year. My husband and I have been without use of one of our pasture lands since September of 1997. We filed a lawsuit last year which is pending in the court system. As you can see when there is a problem it takes a very long time to be remedied, if remedied at all. We have an attached letter from the soil commissioners to the City Council recommending denial of this site. They have been served with soil erosion, water pollution and also destruction of wildlife. I have a letter from Gene Walter written to Ken Vogel, which states "I have a real concern of this site that has been chosen for the Linn County landfill. This large tract of land is one of Linn County's last remaining natural woodlands. Though it's slopes are very steep, its soil is excellent for timber growth and so we find a beautiful, large timbered area near the city that has a lot of diversity. Its woodland has many trees, shrubs and wildflowers, as well as wildlife. The soil, while a wonderful medium for growth, is highly erodible. I'm acquainted first hand with soil erosion on this site, a neighboring landowner, next to the rock quarry, has had an ongoing problem with sediment damage caused by the very erosion of the rock quarry on the Hennessey property, but state and local agencies have had to force compliance to erosion control laws before this problem was worked on." I have also included copies of the administrative orders and notice of violations. One of our major concerns is the erosion out there."

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the commissioners and are confidential pursuant to Iowa Code section 22.7(4). The parties have been informed of this action and may appear to discuss this matter. If the Commission needs to discuss strategy with counsel on any matter where the disclosure of matters discussed would be likely to prejudice or disadvantage its position in litigation, the Commission may go into closed session pursuant to Iowa Code section 21.5(1)(c).

- a. Affordable Asbestos Removal, Inc. (Monticello) – air quality
- b. Swine Graphics Enterprises, L.P., JBMM Pork facility (Tama County)
- c. Linwood Mining and Minerals Corp. (Buffalo) – air quality (tabled item)
- d. Peter Orth, d/b/a Strauss Oil (Burlington) – underground tanks
- e. Norman Klynsma, d/b/a OK One Stop (Hospers) – underground tanks

Affordable Asbestos Removal, Inc.

Mr. Murphy introduced this case involving Jeffrey Intelkofer, owner of Affordable Asbestos, and noted that it deals with alleged violations of asbestos NESHAPS rules. He related that during a

removal project at Oakdale Hall at University of Iowa and the Department's inspection in February 1999 showed failure to keep the materials wet at all times during the removal process. Mr. Murphy stated that in light of the substantial history of compliance problems with this company including prior Administrative Orders and five Attorney General actions, staff feel this matter should be referred to the Attorney General for a civil court action.

Douglas Herman, Attorney representing Affordable Asbestos, described the ceiling asbestos removal project including how the asbestos was removed and how it was handled. He explained how they keep the job safe to prevent the release of particulates. He noted that the complaint was that the material on the floor waiting to be scooped up was not wet enough. Mr. Herman indicated that the Department's conclusion lies in an inaccurate determination of what is "adequately" wet. He expanded on the correct determination of "adequately wet." Mr. Herman stated that when Inspector Burnside visited the site he was told by a supervisor on-site (Mr. Phillips) that he had been wetting the edges that had been removed, that when it got to the floor he would wet it, then collect it and put it in the drum. Mr. Herman related that part of the problem his client has is that he feels Mr. Burnside has no practical experience in removing asbestos and does not believe he understands that every job is not the same, adding that everything is not going to wet the same. He spoke about a statement by a trained license inspector saying the procedures being used by Affordable Asbestos were appropriate. Mr. Herman stated that he believes Inspector Burnside came with the goal to find a sample and not really about air quality. He noted that the Litigation Report does not say why this case merits referral. He questioned what the standard is for referral and who makes the decision to be referred. He related that there is a history of bad relations between his client and the Department, and his client feels the Department is out to get him. Mr. Herman stated there are a couple areas of the Code, Chapter 455B.138, being ignored and he expanded on that issue. He noted that an Attorney General referral brings a nasty press release suggesting guilt before any kind of attempt to try the case. He expanded on other repercussions of a referral. He distributed copies of a summary of his presentation and accompanying attachments.

Darrell Hanson asked about the Commission's role in the referral process.

Mr. Murphy explained the process and noted that it is not a hearing but it is the Commission's opportunity to decide whether to refer.

A lengthy discussion took place regarding exceptions for adequately wetting material, previous violations listed in the Litigation Report, previous cases appealed and the Department's decision upheld.

Randal Giannetto asked Mr. Herman what his client would rather do – referral or deal with the ALJ.

Mr. Herman replied that it is easier to go through the ALJ and saves money for his client as the administrative process goes quicker.

Mr. Murphy noted that the Department's inspector felt this was a very serious matter as the entire ceiling had been dropped, rather than handling a small section at a time. He related that he has photos which show that some material was not wet. He pointed out that the Department takes action on other asbestos companies, adding that when a company has a history of violations staff view the matter more seriously, and that is in the rules.

Kathryn Murphy asked if some of the information contained in the report would constitute technical procedural objections, and if so, whether that is to be considered as a basis for referral.

Mr. Murphy replied affirmatively.

Discussion followed in regard to who in the Department makes the decision to refer and the process of that decision going through the chain of command for the final decision by the Commission.

Motion was made by Kathryn Murphy for referral to the Attorney General. Seconded by Elizabeth Christiansen. Chairman Townsend requested a roll call vote.

"Aye" vote was cast by Commissioners Hanson, King, Murphy, Priebe, Venner, Christiansen, and Townsend. "Nay" vote was cast by Commissioner Giannetto. Motion carried on a vote of 7-Aye to 1-Nay.

REFERRED

Swine Graphics Enterprises, L.P., JBMM Pork Facility

Mr. Murphy briefed the Commission noting that this matter involves a swine confinement facility owned by Swine Graphics, known as JBMM Pork, in Tama County. He noted that in May 1998 the Department did a routine inspection to determine compliance with Manure Management Plan (MMP) requirements. He related that some violations were found at that time using disposal methods not authorized in their MMP and also a failure to have records demonstrating compliance. Mr. Murphy stated that in November of 1999 another inspection was done and again there were no records available showing compliance with the MMP. He related that they were pumping liquid from the pits in addition to pumping out of lagoons and did not have the records to show they were in compliance with the regulations. He noted that the material appeared to be way over on nitrogen content and there were no plans on how they were going to dispose of it. In the course of follow up, they submitted records that indicated their animal weight capacity had increased to a point higher than what had been shown when they received their permit. He noted that when exceeding 625,000 pounds of manure it kicks in additional requirements, adding that the thing in this is case is that the separation distances from residences would be higher, and there are two structures within that distance that they have to get waivers from, or reduce their animal weight capacity. Mr. Murphy stated that there were two prior administrative orders and penalties related to problems with this company at Monroe County and Franklin County facilities.

Appointment – Gary Meyers

Gary Meyers, Davis - Brown Law Firm, representing Swine Graphics introduced Craig Loffredo, who works for Swine Graphics. Mr. Meyers stated that the company has made some mistakes but there is some confusion created by the different MMP's that were filed as to what has happened and when, at the facility. He stated that there are four basic issues involved as follows: 1) construction permits; 2) separation distance from the residences; 3) MMP documentation; and 4) the actual application of manure. He provided details surrounding each of these issues. Mr. Meyers noted that the rules were changed and now require that records be kept on site. He outlined steps Swine Graphics goes through to keep their farm managers informed about record's requirements. He stated that Swine Graphics decided they would hire a compliance manager to be sure their farm managers do what is required. He said that they definitely believe there has never been any over application of nitrogen. Mr. Meyers related that their position is that no new permit is required. He stated that referral to the Attorney General is not necessary for injunctive relief. He added that the company has made a decision they are not going to irrigate at all and they are making a good faith effort to comply with the rules. He stated that the Department should encourage people who are making an attempt to comply and should resolve the matter through the administrative process instead of referral.

A lengthy discussion took place regarding the MMP; availability of the records in the proper place; change in weight for gestation sows; and over application of nitrogen.

Darrell Hanson commented that not having the manure application records available at the right time is not a trivial matter.

Rozanne King asked where the records were available when Julie Nelson visited the facility.

Mr. Loffredo stated that the records were not in a formal format but they were in the manager's planner at that time.

Darrell Hanson asked about the amount of maximum penalty per day.

Mr. Murphy noted that the penalties are a maximum of \$5,000 per violation, per day. If handled administratively within the Department it would be a maximum of \$3,000.

Further discussion took place regarding animal permit capacity and whether or not waivers are needed for separation distance.

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| <i>Motion was made by Rita Venner for referral to the Attorney General. Seconded by Kathryn Murphy.</i> |
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Rita Venner stated that she feels they were out of compliance, but if it gets referred she would hope that consideration would be given to the measures the company is taking now to correct the situation.

Gary Priebe stated that he cannot vote to refer, adding that when the company goes through all the hoops to do what is needed and are told 350 pounds, then a couple years later the rules change to 400 pounds, and later on it changes again to 450 pounds, he has a real problem with that. He related that they should have had the records on site, but it's a lot better to have them even if not on site, than not to have them at all. He added that he thinks the fine is way out of line and for what they have done, they do not deserve to be referred.

Chairman Townsend requested a roll call vote. "Aye" vote was cast by Commissioners Hanson, Murphy, Venner, Christiansen, and Townsend. "Nay" vote was cast by Commissioners King, Priebe and Giannetto. Motion carried on a vote of 5-Aye to 3-Nay.

REFERRED

MONTHLY REPORTS

Mike Valde, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report
2. Variance Report
3. Hazardous Substance/Emergency Response Report
4. Enforcement Status Report
5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

RULEMAKING STATUS REPORT March 1, 2000

| Proposal | Notice to Comm | Notice Publish | ARC# | Rules Review Committee | Hearing | Comment Period | Final Summary to Comm | Rules Adopted | Rules Publish | ARC # | Rules Review Comm | Rule Effective |
|---|----------------|----------------|-------|------------------------|----------|----------------|-----------------------|---------------|---------------|-------|-------------------|----------------|
| 1. Ch. 22 – Revised Cap – Title V Permits | 11/15/99 | 12/15/99 | 9536A | 1/04/00 | 1/14/00 | 1/14/00 | 2/21/00 | 2/21/00 | *3/22/00 | | *4/03/00 | *4/26/00 |
| 2. Ch. 23 – Adoption by Reference – NESHAPS | 11/15/99 | 12/15/99 | 9535A | 1/04/99 | 1/14/00 | 1/14/00 | 2/21/00 | 2/21/00 | *3/22/00 | | *4/03/00 | *4/26/00 |
| 3. Ch. 60, 62, 63 – Monitoring, Reporting and Analytical Requirements | 10/18/99 | 11/17/99 | 9478A | 12/14/99 | 12/10/99 | 12-20-99 | *4/17/00 | *4/17/00 | *5/17/00 | | *6/05/00 | *6/21/00 |
| 4. Ch. 61 – WQ Standards | *4/17/00 | *5/17/00 | | *6/05/00 | | | *7/17/00 | *7/17/00 | *8/09/00 | | *9/04/00 | *9/13/00 |

VARIANCE REPORT

| Item No. | Facility | Program | Engineer | Subject | Decision | Date |
|----------|---|--------------------------|--|------------------------|----------|----------|
| 1 | Bil Mar Foods of Iowa-Storm Lake | Air Quality | | Permit Requirements | Approved | 02/07/00 |
| 2 | Cargill, Inc.-Eddyville | Air Quality | | Fuel Test | Approved | 02/17/00 |
| 3 | Holnam, Inc.-Mason City | Air Quality | | Fuel Test | Approved | 02/03/00 |
| 4 | Sethness Products Company-Clinton | Air Quality | | Permit Requirements | Approved | 02/24/00 |
| 5 | Clarke County Sanitary Landfill | Solid Waste | Barker, Lemar & Associates | Groundwater Monitoring | Approved | 02/15/00 |
| 6 | Neal South Ash Landfill-Woodbury County | Solid Waste | Montgomery Watson | Fencing Requirements | Approved | 02/07/00 |
| 7 | Lake View Knolls Subdivision-Johnson County | Watersupply Construction | Shoemaker & Haaland Professional Engineers | Siting Criteria | Approved | 02/11/00 |
| 8 | White Springs Restaurant-McGregor | Watersupply Construction | IIW Engineers and Surveyors | Siting Criteria | Approved | 02/08/00 |

SPILL REPORT

During the period February 1, 2000, through February 29, 2000, 63 reports of hazardous conditions were forwarded to the central office. A general summary and count by field office is presented below. This does not include releases from underground storage tanks, which are reported separately.

| Month | Substance | | | | | Mode | | | | |
|-----------|-----------------|---------------|--------------------|-----------------|-----------|----------------|----------|----------|-------|---------|
| | Total Incidents | Agri-chemical | Petroleum Products | Other Chemicals | Transport | Fixed Facility | Pipeline | Railroad | Fire | Other |
| October | 62 (50) | 6 (7) | 48 (25) | 5 (14) | 32 (24) | 23 (18) | 1 (2) | 2 (0) | 0 (0) | 4 (6) |
| November | 63 (56) | 10 (7) | 37 (35) | 15 (7) | 25 (25) | 30 (28) | 1 (2) | 3 (0) | 1 (0) | 3 (1) |
| December | 66 (35) | 10 (4) | 39 (20) | 17 (7) | 23 (12) | 33 (18) | 1 (2) | 4 (0) | 0 (0) | 5 (3) |
| January | 42 (39) | 4 (0) | 29 (18) | 9 (8) | 13 (7) | 25 (30) | 1 (0) | 0 (0) | 0 (0) | 3 (2) |
| February | 63 (54) | 2 (3) | 32 (28) | 29 (9) | 14 (22) | 46 (29) | 0 (1) | 0 (0) | 1 (0) | 2 (2) |
| March | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| April | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| May | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| June | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| July | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| August | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| September | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) |
| Total | 296 (234) | 32 (21) | 185 (126) | 75 (45) | 107 (90) | 157 (123) | 4 (7) | 9 (0) | 2 (0) | 17 (14) |

Total Number of Incidents Per Field Office This Period:

| | | | | | |
|----|---|---|---|----|----|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 12 | 6 | 7 | 8 | 15 | 15 |

MANURE REPORT

During the period February 1, 2000, through February 29, 2000, 0 reports of manure releases were forwarded to the central office. A general summary and count by field office is presented below.

| Month | Total Incidents | Feedlot | Confinement | Land Application | Transport | Hog | Cattle | Fowl | Other | St v Im ; |
|--------------|--------------------|---------|-------------|---------------------|-----------|--------|--------|-------|-------|--------------------|
| October | 6 (0) | 0 (0) | 3 (0) | 2 (0) | 1 (0) | 6 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| November | 4 (0) | 0 (0) | 2 (0) | 1 (0) | 1 (0) | 3 (0) | 1 (0) | 0 (0) | 0 (0) | (|
| December | 2 (0) | 0 (0) | 1 (0) | 1 (0) | 0 (0) | 1 (0) | 1 (0) | 0 (0) | 0 (0) | (|
| January | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| February | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| March | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| April | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| May | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| June | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| July | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| August | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| September | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | 0 (0) | (|
| Total | 12 (0) | 0 (0) | 6 (0) | 4 (0) | 0 (0) | 10 (0) | 2 (0) | 0 (0) | 0 (0) | ; |

Total Number of Incidents Per Field Office This Period:

| | | | | | |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 |
| 0 | 0 | 0 | 0 | 0 | 0 |

ENFORCEMENT REPORT UPDATE

The following new enforcement actions were taken last month:

| Name, Location and Field Office Number | Program | Alleged Violation | Action | Date |
|---|-------------------|--|---------------------------|---------|
| Bee Rite Tire Disposal, Inc.; Jerry Yeomens, Marshall Co. (5) | Solid Waste | Other – Tires | Order/Penalty \$10,000 | 2/03/00 |
| Wayne Transports, Inc., Greene (2) | Wastewater | Prohibited Discharge | Order Rescission | 2/03/00 |
| Dennis Severson d/b/a Huxley Dry Cleaners, Huxley (5) | Air Quality | Operational Violations | Order/Penalty \$4,500 | 2/03/00 |
| CAL Grade & High Schools, Latimer (2) | Drinking Water | MCL – Bacteria; Public Notice | Order | 2/12/00 |
| Davis City, City of (5) | Wastewater | Compliance Schedule; Discharge Limits | Order | 2/17/00 |

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|---|-------------------|---|-------------------------------------|---------|
| D/S Land Company, L.C. d/b/a The Outer Edge, Mason City (2) | Drinking Water | Monitoring/Reporting- Bacteria, Nitrate | Order/Penalty \$300 | 2/17/00 |
| Bruening Rock Products, Inc., Decorah (1) | Wastewater | Operational Violations; Prohibited Discharge; Pollution Prevention Plan Violations | Order/Penalty \$8,000 | 2/17/00 |
| AG Partners, L.L.C., Royal (3) | Air Quality | Construction Permit | Without Order/Penalty \$2,500 | 2/17/00 |
| Holland Contracting Corp. Forest City (2) | Air Quality | Open Burning | Consent Amendment | 2/17/00 |
| Glidden, City of (4) | Air Quality | Asbestos | Consent Amendment | 2/17/00 |

SUMMARY OF ADMINISTRATIVE PENALTIES

The following administrative penalties are due:

| NAME/LOCATION | PROGRAM | AMOUNT | DUE DATE |
|--|---------|--------|----------|
| Bill Dettman d/b/a Dettman Oil Co. (Fonda) | UT | 2,800 | 9-15-94 |
| M & L Service; Loyal Dorr; Mark Courtney (Guthrie Center) | UT | 1,000 | 8-30-95 |
| Economy Solar Corp. (Monticello) | AQ | 7,500 | 11-25-95 |
| Keith Owens and Howard Maurer (Wilton) | UT | 3,100 | 1-01-96 |
| Paul L. Dunkel (Delaware Co.) | SW | 1,500 | 6-27-96 |
| Ronald Slocum; Tammy Lynn Determan (Marshall Co.) | SW | 10,000 | 5-24-97 |
| * Vernon Kinsinger d/b/a K & K Sanitation (Washington Co.) | AQ/SW | 9,430 | 6-05-97 |
| Sale-R-Villa Const., Inc. (Perry) | AQ | 7,000 | 4-28-98 |
| Larry Cope, Susan E. Cope, Bill VanPelt (Carlisle) | WW | 1,500 | 5-05-98 |
| Albert Fleming (Clayton Co.) | FP | 2,000 | 9-06-98 |
| # Vande Haar Dairy Farm (Marion Co.) | AFO | 3,000 | 9-15-98 |
| Leland DeWitt (Louisa Co.) | AQ/SW | 3,000 | 11-21-98 |
| Ray Stamper; Bryan Zenor (Polk Co.) | SW | 2,000 | 12-12-98 |
| Otter Creek Station (Dubuque Co.) | WS | 325 | 3-04-99 |
| Plantation Village Mobile Home Park (Burlington) | WS | 500 | 3-13-99 |
| Plantation Village Mobile Home Park (Burlington) | WW | 2,000 | 3-13-99 |
| Full Moon Saloon (Jesup) | WS | 500 | 4-23-99 |
| * Home Asbestos & Lead Abatement Services (Johnston) | AQ | 1,150 | 6-15-99 |
| * Orrie's Supper Club, Inc. (Hudson) | WS | 390 | 6-01-99 |
| Norman Klynsmas d/b/a OK One Stop Service (Hospers) | UT | 2,460 | 6-08-99 |
| Charlie's Supper Club (Algona) | WS | 100 | 7-01-99 |
| Hidden Valley Mobile Home Court (Washington Co.) | WS | 200 | 7-26-99 |
| Capitol Oil Co. (Oxford) | UT | 6,560 | 10-09-99 |
| # Gary Frana (Winneshiek Co.) | AFO | 3,000 | 10-13-99 |
| * Randy Foth d/b/a Foth Lumber Co. (Livermore) | AQ | 1,000 | 11-01-99 |
| * Robert Simon (Dubuque Co.) | AQ/SW | 2,000 | 11-01-99 |
| Ethel Mann d/b/a White Springs (McGregor) | WS | 1,000 | 11-01-99 |
| Klunder's Kafe (New Hampton) | WS | 100 | 11-02-99 |
| * Hidden Valley Mobile Home Park (Washington) | WW | 200 | 12-12-99 |
| GKN Armstrong Wheels, Inc. d/b/a Armstrong Rim & Wheel | | | 12-14-99 |

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| Mfg. Co. (Armstrong) | AQ | 6,000 | |
| Winneshiek Co. Memorial Hospital (Decorah) | AQ | 600 | 12-20-99 |
| Jim Ledenbach d/b/a Paper Recovery Company (Cedar Rapids) | SW | 5,000 | 1-23-00 |
| * Minifarm Acres, Inc. (Cedar Co.) | WS | 375 | 1-29-99 |
| James Harter (Fairfield) | WW | 1,800 | 1-29-00 |
| Peter Orth f/d/b/a Strauss Bros. Conoco (Burlington) | UT | 9,400 | 1-31-00 |
| Arthur, City of | WW | 1,000 | 2-01-00 |
| Dennis Sharkey, Sr.; Dennis Sharkey, Jr. (Dubuque Co.) | AQ/SW | 2,250 | 2-11-00 |
| Ducks Bar & Grill (Aredale) | WS | 500 | 2-21-00 |
| Clair's Fisherman's Wharf (Dubuque) | WS | 100 | 2-21-00 |
| * Ben Haven Mobile Home Park | WS | 450 | 3-01-00 |
| Dorchester Supper Club (Dorchester) | WS | 100 | 3-08-00 |
| New Virginia Sanitary District (New Virginia) | WW | 5,000 | 3-10-00 |
| 10 th Hole Food & Spirits (Calamus) | WS | 1,000 | 3-14-00 |
| * R.V. Hopkins, Inc. (Davenport) | AQ | 7,700 | 3-16-00 |
| Jerry L. Roney (Huxley) | UT | 2,000 | 3-25-00 |
| University of Iowa (Iowa City) | WW/HC | 10,000 | 3-27-00 |
| * Holland Contracting Corp. (Forest City) | AQ | 3,000 | 4-01-00 |
| Meadowknolls Addition (Linn Co.) | WS | 1,500 | 4-04-00 |
| Dennis Severson d/b/a Huxley Dry Cleaners (Huxley) | AQ | 4,500 | 4-06-00 |
| Woodharbor Molding and Millworks (Mason City) | AQ | 3,000 | 4-08-00 |
| Gold Eagle-Farmland L.C. (Eagle Grove) | AQ | 5,000 | 4-08-00 |
| Bee Rite Tire Disposal; Jerry Yeomens (Marshall Co.) | SW | 10,000 | 4-08-00 |
| Joe Denmark d/b/a Walnut Acres Campground (Monticello) | WS | 1,000 | 4-15-00 |
| Bruening Rock Products, Inc. (Decorah) | WW | 8,000 | 4-25-00 |
| Ivan Stoltzfus (Decatur Co.) | WW | 4,200 | 6-01-00 |
| Ralene Hawkins d/b/a R.J. Express Salvage & Demolition; | AQ/SW | 1,000 | 7-01-00 |
| Clara Lindstadt (Des Moines Co.) | | | |
| Plum Enterprises; Clinton Graham (Polk Co.) | SW | 1,000 | ---- |
| Deer Ridge Estates (Ottumwa) | WS | 100 | ---- |
| D/S Land Company, L.C. d/b/a The Outer Edge (Mason City) | WS | 300 | ---- |
| AG Partners, L.L.C. (Royal) | AQ | 2,500 | ---- |
| TOTAL | | 173,690 | |

The following cases have been referred to the Attorney General:

| | | | |
|--|-------|--------|----------|
| Donald P. Ervin (Ft. Dodge) | SW | 669 | 3-05-90 |
| Robert and Sally Shelley (Guthrie Center) | SW | 1,000 | 3-04-91 |
| Vernus Wunschel d/b/a Wunschel Oil (Ida Grove) | UT | 300 | 1-12-92 |
| Verna and Don Reed; Andrea Silsby (Union Co.) | SW | 1,000 | 4-07-94 |
| Relative, Inc.; Doug Smuck (Des Moines) | UT | 3,070 | 10-11-94 |
| Relative, Inc.; Doug Smuck (Des Moines) | UT | 600 | 10-11-94 |
| Trust Trucking Corp.; Jim and Brenda Huyser (Lovilia) | UT | 840 | 11-01-94 |
| Paul Underwood d/b/a Underwood Excavating (Cedar Rapids) | AQ | 4,000 | 3-24-95 |
| Oscar Hahn (Solon) | AQ/SW | 2,000 | 8-29-95 |
| Randy Ballard (Fayette Co.) | FP | 2,000 | 5-30-95 |
| ESCORP Associates Ltd.; Arnold Olson (Cedar Rapids) | AQ | 10,000 | 7-09-95 |
| Long Branch Tavern (Monmouth) | WS | 100 | 5-01-96 |
| Long Branch Tavern (Monmouth) | WS | 6,400 | 10-28-96 |
| Long Branch Tavern (Monmouth) | WS | 200 | 3-18-97 |
| Dean Williams d/b/a Williams Oil Co. (Stuart) | UT | 4,800 | |
| Don Grell d/b/a Dodger Enterprises (Ft. Dodge) | AQ | 10,000 | 2-16-93 |
| Robert Jeff White (Dallas Co.) | AQ/SW | 10,000 | 7-14-97 |

| | | | |
|--|----------|----------------|----------|
| Edward Bodensteiner (Des Moines) | UT | 3,200 | 3-31-96 |
| Wunschel Oil, et.al. (Battle Creek) | UT | 4,400 | 12-23-96 |
| Tire-Tech Environmental Systems, Inc. (Muscatine) | SW/WW | 2,500 | |
| Pewe Mercantile, Inc.; Dion Pewe (Grand Mound) | UT | 10,000 | 9-20-98 |
| James LaFollette d/b/a Jim's Tree Service; Kurt Douglas (Marion Co.) | AQ/SW | 2,000 | 2-16-98 |
| *Ken Frese (Keokuk Co.) | AQ/SW | 175 | 1-09-97 |
| Elery Fry; Allen Fry; Becky Sandeen (Monroe Co.) | SW | 6,000 | 1-20-96 |
| Patrick McCoy (Keokuk Co.) | AQ/SW | 2,000 | 2-10-96 |
| Russell Barkema d/b/a Barkema Construction (Wright Co.) | AQ/SW | 1,000 | 3-31-98 |
| Action Jack's Paintball Park (Polk Co.) | SW/FP | 10,000 | 11-07-98 |
| #*Harold Unternahrer (Washington Co.) | AFO | 700 | 5-01-99 |
| Hofer's Danceland Ballroom (Walford) | WS | 3,200 | 4-19-97 |
| Hofer's Danceland Ballroom (Walford) | WS | 100 | 4-23-99 |
| Russell Zook d/b/a Haskin's Recycling (Washington Co.) | AQ/SW | 5,000 | 12-19-98 |
| Spillway Supper Club (Harpers Ferry) | WS | 100 | 3-14-99 |
| Phillips Recycling; Jeff Phillips (Story Co.) | WW | 1,800 | 3-06-99 |
| Greg Morton; Brenda Hornyak (Decatur Co.) | SW/AQ/WW | 3,000 | 11-04-98 |
| Jim Walker (Johnson Co.) | AQ/SW | 3,000 | 2-14-99 |
| Iowa Millenium Investors, LLC (Sumner) | UT | 4,000 | 10-12-99 |
| Daryl & Karen Hollingsworth d/b/a Medora Store(Indianola) | UT | 10,000 | |
| TOTAL | | 129,154 | |

The following administrative penalties have been appealed:

| | | |
|---|-------|--------|
| Frank Hulshizer (Benton Co.) | SW | 500 |
| LeMars, City of | WW | 5,000 |
| Tom Wiseman (Sheffield) | UT | 3,500 |
| William Jensen d/b/a B & B Tire & Oil Co. (Avoca) | UT | 2,300 |
| Crabtree Lake Resort (Rhodes) | WW | 5,400 |
| American Coals Corporation - Site #5 (Bussey) | AQ/SW | 10,000 |
| Bankston, City of | WS | 550 |
| Wunschel Oil, et.al. (Ida Grove) | UT | 10,000 |
| Jim Foust (Indianola) | SW | 2,175 |
| Titan Wheel International, Inc. (Walcott) | WW | 10,000 |
| Tom Babinat d/b/a Tom's Car Care (Grundy Center) | UT | 3,600 |
| Simonsen Industries, Inc. (Cherokee Co.) | WW | 5,000 |
| Dennis Malone & Joanne Malone (Morning Sun) | UT | 600 |
| Economy Solar Corp.; Jeffrey C. Intlekofer (Cedar Rapids) | AQ | 10,000 |
| Leonard C. Page (Adams Co.) | SW | 3,000 |
| Boyer Valley Company (Arion) | WW | 8,000 |
| Wilbur McNear; Gilbert Persinger (Smithland) | UT | 2,500 |
| Donald Krieger (Terrill) | UT | 600 |
| Donald J. Foreman d/b/a D & R Feedlots (Woodbury Co.) | WW | 3,000 |
| Wilbur McNear d/b/a McNear Oil Co. (Charter Oak) | UT | 2,000 |
| Weber Construction, Inc. (Cascade) | AQ | 4,000 |
| Jack Pinney Operations, Inc. (Sioux City) | AQ | 4,000 |
| Roy Burger (Gillette Grove) | UT | 5,400 |
| Fremont County Sanitary Landfill (Fremont Co.) | SW | 5,000 |
| Climax Molybdenum Company (Ft. Madison) | HC/AQ | 10,000 |
| Clarence, City of | WW | 3,000 |
| Dallas County Care Facility (Adel) | WW | 2,500 |
| Mount Joy Mobile Home Park (Davenport) | WW | 2,000 |

| | | |
|---|-------|--------|
| Gary Walker (Montgomery Co.) | AQ/SW | 3,000 |
| Lamoni, City of | WW | 1,000 |
| Margaret and Gene Palmersheim d/b/a G & M Service Mart (Greeley) | UT | 1,500 |
| #Boomsma Egg Site #1; A.J. DeCoster (Wright Co.) | WW | 1,000 |
| Richard Sprague (Tripoli) | AQ/SW | 5,000 |
| Organic Technologies Corp.; Tim Danley; Ken Renfro (Warren Co.) | SW/WW | 10,000 |
| Bellevue Golf Club, Inc. (Bellevue) | WS | 300 |
| Cliff's Place, Inc. (Waverly) | WS | 1,500 |
| Sylvan Acres (Janesville) | WS | 1,000 |
| Brittany Estates Addition (Manchester) | WS | 4,000 |
| Robert Frees; Elizabeth Mathes (Washington Co.) | SW | 1,000 |
| Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Comm. | SW | 9,000 |
| Biovance Technologies, Inc. (Oskaloosa) | AQ | 4,000 |
| Iowa Mold Tooling Co., Inc. (Garner) | AQ | 5,000 |
| Keokuk Steel Castings Co., Inc. (Keokuk) | AQ | 5,000 |
| # Austin J. DeCoster (Nursery 8) (Wright Co.) | WW | 1,000 |
| Sac City, City of | WW | 4,000 |
| Rockwell City, City of | WW | 10,000 |
| Pathway Christian School (Kalona) | WS | 500 |
| Pictured Rocks Methodist Camp (Monticello) | WS | 700 |
| Wiese Corporation (Perry) | AQ | 5,000 |
| West Liberty, City of | WW | 5,000 |
| The Legacy Group, L.C. (Des Moines) | WW | 10,000 |
| The Elm's Corporation of Linn County (Cedar Rapids) | UT | 4,700 |
| Barr Farm Venture; Mel Foster Co. Properties (Scott Co.) | WW | 10,000 |
| Robert Diehl (Clarke Co.) | WW/WS | 5,000 |
| Duane Hanson d/b/a Cedar Valley Tire Recycling (Allamakee Co.) | SW | 5,000 |
| Underwood Motel (Underwood) | WS | 4,000 |
| Keokuk Steel Castings Co., Inc. (Keokuk) | AQ | 10,000 |
| # Bernadette Ryan (Delaware Co.) | AFO | 3,000 |
| Lonnie King (Marion Co.) | AQ/SW | 1,600 |
| West Union Cooperative Co. (West Union) | WW | 10,000 |
| Country Terrace Mobile Home Court (Boone) | WW | 5,000 |
| Country Terrace Mobile Home Court (Boone) | WS | 5,000 |
| Dayton, City of | WW | 10,000 |
| # Peter Bockenstedt (Dubuque Co.) | AFO | 3,000 |
| # Dan Gotto (Dubuque Co.) | AFO | 3,000 |
| # Matthew Daly (Dubuque Co.) | AFO | 3,000 |
| Westside Park for Mobile Homes (Burlington) | WW | 7,000 |
| Woolstock, City of | WW | 5,000 |
| Fayette County Sanitary Landfill | SW | 7,500 |
| Gerald and Judith Vens (Scott Co.) | FP | 5,000 |
| Anthony's Resort (Sherrill) | WS | 2,100 |
| Snap-On Tools Company (Algona) | AQ | 1,500 |
| Hargrave-McEleney, Inc. (Iowa City) | WS | 1,000 |
| Flying J Inc. (Clive) | WW/UT | 10,000 |
| CGB Printing Co. a/k/a Rock Communications Ltd. (Newton) | AQ | 10,000 |
| Wilcox All-Pro Tool & Supply (Poweshiek Co.) | WW | 1,800 |
| # Aaron Tolander (Louisa Co.) | AFO | 3,000 |
| Fairfield, City of | AQ/SW | 10,000 |
| GKN Armstrong Wheels, Inc. (Estherville) | AQ | 3,000 |
| Affordable Asbestos Removal, Inc.; Jeffry Intlekofer | | |

| | | |
|--|--------------|----------------|
| (Ft. Madison) | AQ | 10,000 |
| Muscatine County Sanitary Landfill | SW | 10,000 |
| Fibred-Iowa, Inc. (Iowa Falls) | AQ | 2,000 |
| Beatrice Group Inc. (Fredericksburg) | AQ | 5,000 |
| Case Corporation (Burlington) | AQ | 3,000 |
| National By-Products, Inc. (Clinton) | AQ | 1,500 |
| #Eugene P. Reed, Ltd. (Henry Co.) | AFO | 1,500 |
| Shine Bros. Inc. (Spencer) | AQ | 10,000 |
| Julie Rowe d/b/a Jewell's Food & Spirits (Troy Mills) | WS | 1,000 |
| Rollin McAdams d/b/a McAdams Demolition Co. (Davenport) | AQ | 3,000 |
| Dave & Theresa Cook d/b/a Curry Environ. Svc.(Burlington) | AQ | 10,000 |
| McGregor, City of | WS | 5,000 |
| Fernald Water System | WS | 10,000 |
| Armstrong, City of | WS | 4,000 |
| Brown Bottle Restaurant (Cedar Falls) | WS | 7,000 |
| Lorene Logue; Lester Holmes; Todd Holmes (Lucas County) | AQ | 4,500 |
| Sac County Golf and Country Club (Wall Lake) | WS | 3,000 |
| Kenny Habben (Pioneer) | AQ | 5,000 |
| Crawfordsville, City of | WS | 500 |
| Tara Hills Country Club (Van Horne) | WS | 500 |
| Barilla America Inc. (Ames) | AQ | 10,000 |
| Michael Roberts (Page Co.) | AQ | 1,500 |
| Osceola, City of | WW | 5,000 |
| Rocky Knoll Mobile Home Park (Forest City) | WS | 3,000 |
| # Iowa Select Farms, L.P.; AG Waste Consultants (Hamilton Co.) | AFO | 3,000 |
| GK Properties, Inc.; Greenwood Hills Estates, L.C. (Dallas Co.) | WW | 6,500 |
| Oakview Construction, Inc. (Red Oak) | AQ/SW | 2,000 |
| Omaha Cold Storage Terminals, Inc. (Ft. Dodge) | WW | 1,500 |
| Hog Slat, Inc. (Humboldt) | AQ | 1,000 |
| Edward Degeus (Britt) | AQ | 3,000 |
| Fort Dodge, City of | WS | 5,000 |
| Gene Christiansen d/b/a Christiansen Construction Co. (Persia) | AQ | 8,000 |
| Aaron Berry (Pottawattamie Co.) | AQ/SW | 1,500 |
| Solar Transport, Inc. (West Des Moines) | UT | 2,000 |
| # Mark Shipman (Corwith) | AFO | 1,000 |
| Pine Creek Par 31 Golf Course (Mason City) | WS | 1,250 |
| Bonaparte, City of | AQ/SW | 10,000 |
| Dave Thompson (Hancock Co.) | SW | 2,000 |
| Wendall Abkes (Butler Co.) | AQ/SW | 3,000 |
| Ledyard, City of | AQ | 5,000 |
| Benefit Water District #2 (Boone Co.) | WS | 2,500 |
| Steven Reimers (Schaller) | AQ/SW | 5,000 |
| Minsa Corporation (Red Oak) | WW | 10,000 |
| Red Oak Lanes; Richard Culver (Red Oak) | SW | 10,000 |
| | TOTAL | 560,575 |

The following administrative penalties were paid last month:

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|-----------------------------|-------|-----|
| Scott Paulson (Forest City) | AQ/SW | 350 |
| Ben Haven Mobile Home Park | WS | 50 |

| | | |
|--|-------|---------------|
| Yohn Ready Mix (Hancock Co.) | AQ/SW | 1,000 |
| Kind & Knox Gelatine, Inc. (Stipulated Penalty) | WW | 26,300 |
| Shenandoah, City of | WW | 2,500 |
| Country Pumpkin (Deloit) | WS | 250 |
| Ivan Stoltzfus (Decatur Co.) | WW | 2,000 |
| * R.V. Hopkins, Inc. (Davenport) | AQ | 500 |
| Dr. Mike Miller d/b/a Eastridge Animal Center (Chariton) | AQ | 1,000 |
| Enviro Safe Air, Inc. (Creston) | AQ | 5,000 |
| Williamsburg Manufacturing (Williamsburg) | AQ | 1,000 |
| Koch's Meadow Lake Campground (Cedar Co.) | WS | 200 |
| Gerald G. Pregler (Dubuque Co.) (1992 Consent Order) | SW | 1,000 |
| TOTAL | | 41,150 |

The \$2,000 penalty assessed to Ron Rupe (Polk Co.) was rescinded 7/99 and inadvertently omitted from that report.

The \$7,100 penalty assessed to Paul Behounek and Todd Behounek (Tama Co.) was reversed by the ALJ in 4/99.

ATTORNEY GENERAL REFERRALS

| Name, Location and Region Number | Program | Alleged Violation | DNR Action | New or Updated Status | Date |
|--|--------------------------------|---|------------------------------------|--|--|
| Adrian, Dean Clinton Co. (6) | Animal Feeding Operation | Prohibited Discharge- Open Feedlot; Water Quality Violations- General Criteria | Referred to Attorney General | Referred Petition Filed | 3/15/99 9/13/99 |
| Ballard, Randy Fayette Co. (1) | Flood Plain | Construction Without Permit | Order/Penalty | Referred Petition Filed Trial Date | 5/29/96 6/05/98 1/13/00 |
| Bodensteiner, Edward Des Moines (5) UPDATED | Underground Tank | Site Assessment | Order/Penalty | Referred Petition Filed Motion for Partial Summary Judgment Partial Summary Judgment (Injunction) Trial Ruling (\$2,000/Civil) | 8/17/98 12/22/98 11/24/99 1/18/00 1/24/00 2/08/00 |
| Citizens Against Golden Oval Winnebago Co. (2) | Animal Feeding Operation | DNR Defendant | Defense | Petition Filed Motion for Dismissal Resistance to Stay Hearing on Stay Petition for Stay Denied Hearing | 8/20/99 9/07/99 9/07/99 9/07/99 10/05/99 3/08/00 |
| DeCoster, A.J. Nursery Unit #3 Wright Co. (2) | Animal Feeding Operation | Prohibited Discharge | Referred to Attorney General | Referred Petition Filed Consolidated With Sow Unit #1 (See Below) | 8/19/96 11/25/96 4/28/97 |
| DeCoster, Austin J. Sow Unit #1 (2) | Animal Feeding Operation | Prohibited Discharge | Referred Attorney General | Referred to Petition Filed Ruling Denying Defendant's Motion for Partial Summary Judgment | 1/22/97 4/24/97 9/02/97 |

| | | | | | |
|---|--------------------------------|---|------------------------------------|---|--|
| | | | | Ruling Granting State's Motion for Partial Summary Judgment | 9/04/97 |
| | | | | Trial | 9/16-18/97 |
| | | | | Ruling for State | 1/15/98 |
| | | | | Defendant's Notice of Appeal | 2/13/98 |
| | | | | Defendant's Proof Brief Filed | 7/08/98 |
| | | | | State's Brief | 10/08/98 |
| | | | | Supreme Court Arguments | 12/13/99 |
| DeCoster, Austin J. Sow Unit #11; Nursery Unit #7 Wright Co. (2) | Animal Feeding Operation | Prohibited Discharge | Referred to Attorney General | Referred Petition Filed Consolidated With Nursery Unit #4 (See Below) | 6/20/97 3/20/98 |
| DeCoster, Austin J. Nursery Unit #4 Wright Co. (2) | Animal Feeding Operation | Prohibited Discharge | Referred to Attorney General | Referred Petition Filed Trial Date Post Trial Brief Ruling on Petition (\$25,000/Civil) Defendant's Notice of Appeal Defendant's Brief State's Brief | 8/18/97 3/20/98 3/16/99 3/30/99 5/28/99 6/24/99 11/01/99 2/04/00 |
| DeCoster, Austin J. Nursery M-1 Lucas Co. (5) | Animal Feeding Operation | Prohibited Discharge | Referred to Attorney General | Referred | 11/16/98 |
| DeCoster, Austin J. Nursery M-1 Lucas Co. (5) | Animal Feeding Operation | Prohibited Discharge – Confinement; Failure to Report a Discharge | Referred to Attorney General | Referred | 12/20/99 |
| Enviro Safe Air, Inc. Sioux City (3) | Air Quality | Asbestos | Referred to Attorney General | Referred | 10/18/99 |
| Flannegan Conservation Service; Hugh J. Flannegan Emmetsburg (3) | Solid Waste | Operation Without Permit | Referred to Attorney General | Referred Closed | 11/16/98 |
| Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2) | Solid Waste | Illegal Disposal | Order/Penalty | Referred Petition Filed Application for Temporary Injunction Temporary Injunction Granted State's Motion for Partial Summary Judgment Order Granting Partial Summary Judgment Trial Date Ruling (\$3,500,000/Civil) Notice of Appeal | 1/20/98 8/25/98 9/28/98 10/26/98 2/12/99 3/18/99 4/14/99 4/22/99 5/17/99 |

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| Grell, Don d/b/a Dodger Enterprises Ft. Dodge (2) | Solid Waste | Illegal Disposal | Judicial Review | Petition Filed State's Answer Defendant's Brief State's Brief Hearing Ruling for State Notice of Appeal | 10/19/98 11/17/98 7/23/99 8/24/99 9/09/99 11/18/99 12/07/99 |
| Hahn, Oscar Solon UPDATED | (6) Air Quality Solid Waste | Open Burning Illegal Disposal | Order/Penalty | Referred Petition Filed Entry of Default Motion for Default Judgment Hearing Default Judgment (\$8,000/Civil; \$2,000/Admin.; Injunction) | 12/18/95 4/18/96 11/01/96 12/02/99 2/04/00 2/14/00 |
| Henry County Board of Supervisors Henry Co. (6) | Wastewater | Other; Operation Violations | Referred to Attorney General | Referred | 2/15/99 |
| Holnam Incorporated Mason City (2) | Air Quality | Excess Emissions | Referred to Attorney General | Referred | 3/15/99 |
| Hollingsworth, Daryl & Karen Indianola UPDATED | (5) Underground Tank | Financial Responsibility | Order/Penalty | Referred Motion for Default Judgment Hearing | 10/18/99 2/17/00 4/17/00 |
| Huyser, James; Trust Trucking Lovilia (5) | Underground Tank | Site Assessment | Referred to Attorney General | Referred Petition Filed Dismissed for Lack of Service Bankruptcy Petition Filed | 11/21/94 4/18/96 9/20/96 9/20/96 |
| Iowa Millenium Investors, LLC Des Moines (5) | Underground Tank | Site Assessment | Order/Penalty | Referred | 10/18/99 |
| LaFarge Corporation Davenport (6) | Air Quality | Excess Emissions | Referred to Attorney General | Referred | 3/15/99 |
| Larson, Daryl Jones Co. (1) | Animal Feeding Operation | Freeboard Cleanup Costs | Referred to Attorney General | Referred | 5/17/99 |
| Lehigh Portland Cement Co. Mason City (2) | Air Quality | Construction Without Permit | Referred to Attorney General | Referred Petition Filed | 8/17/98 11/05/99 |

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| Martinez, Vincent d/b/a Martinez Sewer Service Davenport (6) | Hazardous Condition | Remedial Action | Order/Penalty | Referred Petition Filed Partial Default Judgment (Injunction) | 2/17/92 12/21/92 10/11/94 |
| Mills County Landfill Assn. & Remonot County Landfill Assn. Mills Co. (4) | Solid Waste | DNR Defendant | Defense | Petition Filed Answer Filed | 11/05/99 11/29/99 |
| Morgan, Ron d/b/a Action Jack's Paintball Park Polk Co. (5) | Solid Waste | Illegal Disposal | Order/Penalty | Referred | 2/15/99 |
| Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Polk Co. (5) | Solid Waste | Permit Violations | Order/Permit Revocation | Judicial Review Petition Filed Ruling for State Notice of Appeal | 12/21/97 6/12/98 7/19/98 |
| Organic Technologies; Tim Danley; Ken Renfrow; Mike Danley Warren Co. (5) | Solid Waste | Permit Violations | Referred to Attorney General | Referred Petition Filed Application for Temporary Injunction Temporary Injunction | 12/15/97 10/02/98 2/04/99 4/19/99 |
| Pewe Mercantile, Inc.; Dion Pewe Grand Mound (6) | Underground Tank | Insurance Violation; Site Check | Order/Penalty | Referred Petition Filed Trial Date | 11/16/98 4/08/99 12/04/00 |
| Phillips, Jeff; Phillips Recycling Story Co. (5) | Wastewater | Stormwater; Operation Without Permit | Order/Penalty | Referred | 8/16/99 |
| Relative, Inc.; Doug Smuck Des Moines (5) UPDATED | Underground Tank | Insurance Violation | Order/Penalty | Referred Petition Filed Motion for Default Judgment Order Granting Default Judgment (\$3,000/Civil; \$600 Admin.; Injunction) | 10/17/94 5/12/95 11/26/96 12/07/96 |
| Spillway Supper Club Harpers Ferry (1) | Drinking Water | Permit Renewal Fee | Order/Penalty | Referred | 6/21/99 |
| Village Realty Pottawattamie Co. (4) UPDATED | Underground Tank | DNR Defendant | Defense | Petition Filed State's Motion to Dismiss Order Granting Partial Dismissal | 8/12/98 10/08/98 12/22/98 1/27/00 2/22/00 |

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Motion for Summary Judgment Hearing

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| Walker, Jim Iowa City UPDATED | (6) | Air Quality Solid Waste | Open Burning Illegal Disposal | Order/Penalty | Referred Motion for Judgment Hearing | 10/18/99 1/25/00 3/30/00 |
| Weber Inc. Construction, Cascade (1) | | Air Quality | Asbestos | Petition for Review | Petition Filed Answer Filed Hearing Ruling for State Notice of Appeal | 11/19/98 12/23/98 8/24/99 8/31/99 9/27/99 |
| White, Robert Jeff White, Dave Dallas Center (5) | | Air Quality; Solid Waste | Open Burning; Illegal Disposal | Order/Penalty | Referred Petition Filed Dismissed Without Prejudice Petition Against Dave White Filed Answer Filed | 4/20/98 2/05/99 9/24/99 11/15/99 12/06/99 |
| Wunschel Oil Co.; Vernus Wunschel and Jaquelyn Wunschel Battle Creek (3) | | Underground Tank | Site Assessment | Referred to Attorney General | Referred Motion for Judgment Consent Decree (\$6,400/Admin.) Referred | 1/17/95 8/28/96 12/13/96 3/30/98 |
| Zook, Russell Haskins Recycling Ainsworth (6) | d/b/a | Air Quality Solid Waste | Open Burning; Illegal Disposal | Order/Penalty | Referred | 5/17/99 |

CONTESTED CASES

| <u>Date Received</u> | <u>Name of Case</u> | <u>F.O.</u> | <u>Action Appealed</u> | <u>Program</u> | <u>Assigned To</u> | <u>Status</u> |
|----------------------|--|-------------|------------------------|----------------|--------------------|---|
| 6/08/89 | Lehigh Portland Cement Co. | 2 | Site Registry | HW | Murphy | Hearing continued. Status report requested from land quality bureau 12/1/99. |
| 11/03/89 | Bridgestone/Firestone, Inc. | 5 | Site Registry | HC | Murphy | Hearing continued pending negotiations. Settlement proposed 8/96. Status report requested from land quality bureau 12/1/99. |
| 5/08/90 | Texaco Inc./Chemplex Co. Site | 6 | Site Registry | HW | Murphy | Settlement offer to be renewed 3/00. |
| 5/14/90 | Alter Trading Corp. (Council Bluffs) | 4 | Admin. Order | SW | Tack | Permit issued. District court suit dismissed. Field Office overseeing compliance. Progress reports received. |
| 6/20/90 | Des Moines, City of | 5 | NPDES Permit Cond. | WW | Hansen | EPD met with City to resolve appeal issues. Follow-up with EPD regarding status-3/97. 12/28/99 – F.O. 5 letter to City regarding resolution of permit issues. |
| 7/02/90 | Keokuk Savings Bank and Trust; Keokuk Coal Gas Site | 6 | Site Registry | HW | Murphy | Hearing continued. Status report requested from land quality bureau on 12/1/99. |
| 7/30/90 | Key City Coal Gas Site; and Howard Pixler | 1 | Site Registry | HW | Murphy | Decision appealed (Pixler) Site remediation completed. Status report requested from land quality bureau 12/1/99. |
| 8/01/90 | J.I. Case Company | 6 | Site Registry | HW | Preziosi | Hearing continued indefinitely pending cleanup of neighboring site. Checked status 6/9/99. No change. 2/28/00 – Notice of Intent withdrawn. Closed. |
| 9/25/91 | Archer Daniels Midland | 6 | Admin. Order | SW | Tack | DNR engineers reviewing documents. Closure permit application due 8/1/99. Revised closure permit application submitted 9/15/99. |
| 5/12/92 | Paris & Sons, Inc. | 1 | Site Registry | HC | Wornson | Negotiating within bankruptcy proceeding. |
| 11/16/92 | Frank Hulshizer | 1 | Admin. Order/Penalty | SW | Tack | Settled. Abatement agreement signed 9/21/99. Penalty to be forgiven upon completion of clean-up. |

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| 4/05/93 | Mapleton, City of | 4 | WW Operator Certification | WW | Hansen | Under review by EPD. Appeal discussion with EPD staff. 2/28/00 – Letter to City attorney regarding setting for hearing. |
| 4/12/93 | LeMars, City of | 3 | Admin. Order/Penalty | WW | Hansen | Construction permit issued. Schedule submitted by City for remaining construction found unacceptable. Request for acceptable schedule - 1/31/96. Schedule received; under review by WW Permits. Dept. letter regarding resolution of appeal. |
| 7/20/93 | Valley Restaurant/Sierp Oil; Mary & Carl Sierp; and Robert Radford (7LTY50) | 4 | Admin. Order | UT | Wornson | Revised Tier 2 submitted 12/15/99. Review for settlement. |
| 3/03/94 | Burlington Northern Railroad | | Tax Certification | WW | Hansen | 3/96 - Letter to company regarding appeal. Response requested by 4/30/96. 5/96 - Follow-up letter sent. Response requested by 6/28/96. Follow-up letter sent. Response from company that appeal is being reviewed. Dept. letter to facility regarding closing appeal. 2/29/00 – No response to letter of 12/29/99. Closing appeal. Closed. |
| 7/12/94 | Tom Wiseman (8LTP62) | 2 | Admin. Order/Penalty | UT | Wornson | Compliance initiated 5/25/99; due 12/31/99. |
| 8/12/94 | Karl and Thelma Boylan d/b/a Boylan's Service (8LT088) | 4 | Admin. Order/Penalty | UT | Wornson | Placed on state lead. Dismissed without prejudice. Closed. |
| 8/29/94 | B and B Tire and Oil | 4 | Admin. Order/Penalty | UT | Wornson | Tier 2 submitted. High risk. CADR due 12/31/99. Penalty to be settled. |
| 9/09/94 | American Coals Corp., Site 5 (Bussey) | 5 | Admin. Order/Penalty | SW/AQ | Tack | Consent order sent to parties. Awaiting Dept. of Agriculture resolution. |
| 9/16/94 | Wunschel Oil Co.; Vernus Wunschel; Jacquelyn Wunschel; Mark Wunschel (Ida Grove) | 3 | Admin. Order/Penalty | UT | Wornson | Consent order. SCR received. Revisions to SCR required - overdue. Follow-up letter sent 2/26/96. UST Fund conducting further assessment and free product removal. |
| 9/26/94 | James D. Foust | 5 | Admin. Order/Penalty | SW | Tack | Hearing continued by ALJ because of bankruptcy. |
| 10/07/94 | Titan Wheel International | 6 | Admin. Order/Penalty | WW | Hansen | Revised BMR report submitted/reviewed by WW Permits. Letter to facility regarding report. 3/2/00 – Letter to attorney regarding setting appeal for hearing. |
| 1/13/95 | Simonsen Industries, Inc. | 5 | Admin. Order/Penalty | WW | Hansen | 2/28/95 - Submittal by facility's engineer regarding land application of sludge. Under review by WW permits staff. Update requested from WW staff. 2/1/00 – Report on compliance requested from FO and WW staff. 2/2/00 – Permit to be issued to facility. |
| 2/23/95 | Lehigh Portland Cement | 2 | Permit Conditions | WW | Hansen | Informal settlement meeting held on 6/96. Facility to provide status report regarding TSS permit limit by 9/20/96. 12/28/99 Dept. letter to facility attorney regarding setting appeal for hearing and also resolution of the appeal. 1/24/00 – Letter from WW attorney concerning settlement. Additional time requested to resolve issues raised by appeal. 2/22/00 Dept. response to attorney regarding hearing. 2/25/00 – Sent to DIA to be set for hearing. |
| 3/23/95 | American Coals Corp. | 5 | Admin. Order | SW | Tack | Awaiting consent order approval. Awaiting Dept. of Agriculture resolution. |
| 4/13/95 | The Weitz Corp.; Barton Solvents, Inc. | 5 | Admin. Order | HC | Tack | Remediation plan received 5/27/96. |
| 5/25/95 | Fremont County SLF | 4 | Admin. Order/Penalty | SW | Tack | Settlement offer made 12/16/99. |
| 6/20/95 | Toledo, City of | 5 | Permit Conditions | WW | Hansen | WW permits to negotiate settlement. Status of negotiations requested 1/9/96. Dept. letter to facility's engineer regarding resolving appeal. 1/3/00 – Revised WLA and permit limits sent to facility. 1/26/00 – Dept. letter to WW engineer regarding construction schedule to meet revised permit limits. 2/28/00 – Follow-up letter to City regarding construction schedule. |
| 6/23/95 | Leonard C. Page | 4 | Admin. Order/Penalty | SW | Tack | Settlement offer pending. |
| 7/03/95 | Donald J. Foreman d/b/a D & R Feedlots | 3 | Admin. Order/Penalty | WW | Hansen | 2/1/00 – Report on compliance requested from FO. 2/7/00 – Status report received. Response to FO concerning resolving appeal. |
| 7/05/95 | Boyer Valley Co. | 4 | Admin. Order/Penalty | WW | Hansen | Informal meeting held for 6/7/96. Response from facility due 6/28/96. Response received from facility 7/96. 3/2/00 – Letter to attorney concerning appeal resolution. |
| 7/10/95 | Donald Krieger | 3 | Admin. Order/Penalty | UT | Wornson | Tanks removed. Dismissed without prejudice. Closed. |
| 7/10/95 | Gilbert Persinger/Smithland Store | 3 | Admin. Order/Penalty | UT | Wornson | SCR received - rejected. Review progress. Proposed for state lead. |
| 8/01/95 | Wilbur McNear d/b/a McNear Oil Co./Charter Oak | 4 | Admin. Order/Penalty | UT | Wornson | SCR received/rejected. Referral for state lead. Resolve penalty. |
| 9/20/95 | FKI Industries, Inc.; Fairfield Aluminum, Inc. | 6 | Admin. Order | WW/HC | Murphy | Negotiating before filing. Attorneys contacted 2/99. |
| 10/17/95 | Weber Construction, Inc. | 1 | Admin. Order/Penalty | AQ | Preziosi | Hearing held 4/25/97. Decision received in DNR's favor. Penalty reduced. Decision appealed to EPC 6/6/97. ALJ decision upheld. Petition for review 11/19/98. District Court affirmed final agency action 8/31/99. Appealed to Supreme Court 9/27/99. |
| 11/03/95 | Jack Pinney Operations, Inc. aka Jack Pinney Grading | 3 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 12/12/95 | Vernon Kinsinger; K & K Sanitation | 6 | Admin. Order/Penalty | AQ/SW | Tack | Clean-up progressing. Working with F.O. #6. |

Environmental Protection Commission Minutes

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| | | | | | | Receiving penalty payments. |
| 1/12/96 | Clarence, City of | 6 | Admin. Order/Penalty | WW | Hansen | 1/96 - Facility inspected by FO 6. 9/96 letter from facility attorney stating construction completed. 2/1/00 - Status report on compliance requested from FO 6. 2/2/00 - Dept. to send settlement offer to City. City has returned to compliance. |
| 1/25/96 | Hidden Valley Mobile Home Park | 6 | Admin. Order/Penalty | WW | Clark | Negotiating before filing. |
| 3/11/96 | Dallas County Care Facility | 5 | Admin. Order/Penalty | WW | Hansen | Facility inspected by FO. Now in compliance. |
| 3/14/96 | Laurel, City of | 5 | Admin. Order | WW | Hansen | Information submitted by city under review by WQ section. |
| 3/14/96 | Lamoni, City of | 5 | Admin. Order | WW | Hansen | 12/20/99 Dept. letter with new waste load allocation and ammonia nitrogen limits for treatment facility. 1/26/00 - Letter to facility engineer regarding whether construction schedule needed due to new WLA and new effluent limit and setting appeal for hearing. 2/21/00 - Letter from engineer including compliance schedule in response to FO 5. |
| 3/22/96 | Mt. Joy Mobile Home Park | 6 | Admin. Order/Penalty | WW | Hansen | 3/25/96 Inspection by FO 6. Facility in compliance. 2/1/00 Status report on compliance requested of FO 6. 2/2/00 - Facility has returned to compliance. 2/24/00 - Settlement offer sent to MHP. |
| 5/07/96 | Lakeview Mobile Home Park | 5 | Admin. Order/Penalty | WW | Hansen | 6/20/96 - informal meeting held. Facility to provide settlement offer by 7/15/96. Settlement offer received from facility - under review. 2.27.99 FO contacted regarding appeal resolution. |
| 5/14/96 | Gary Lee Walker | 4 | Admin. Order/Penalty | AQ/SW | Tack | Negotiating before filing. |
| 5/16/96 | Grand Laboratories, Inc. | 3 | Permit Denial | WW | Hansen | Information received and reviewed by EPD. Settlement offer and revised permit sent to facility 7/97. Response received 8/97. Under review by EPD. Facility to provide further response and settlement offer to DNR by 3/15/98. 3/13/98 Dept. received proposal from facility engineer. 3/20/98 Dept. review of proposal completed. 8/98 - Letter to Grand Labs rejecting their proposal. 9/25/98 letter from Grand Labs regarding settlement. Grand Labs to submit new settlement 3/99. 5/99 Grand Labs submitted settlement proposal; under review by WW and WQ staff. 2/29/00 - Response received from WQ engineer. Staff reviewing for decision. |
| 6/07/96 | Clow Valve Company | 5 | Permit Conditions | AQ | Preziosi | Negotiating before filing. Settlement meeting set for 11/17/99. Hearing set for 12/14/99. |
| 6/10/96 | DeCoster Farms of Iowa (19 sites) | 2 | Admin. Order | AFO | Clark | Proposed decision 11/25/96. Appealed to EPC 12/27/96. |
| 6/10/96 | DeCoster Farms of Iowa (5 sites) | 2 | Permit Denial | WR | Clark | Proposed decision 11/25/96. Appealed to EPC 12/27/96. |
| 8/01/96 | DeCoster Farms of Iowa (Nursery Unit 7 - Wright Co.) | 2 | Permit Denial | AFO | Clark | Proposed decision 11/25/96. 12/27/96 - Appealed to EPC. |
| 8/01/96 | DeCoster Farms of Iowa (Boomsma Egg Site #1) | 2 | Admin. Order/Penalty | AFO | Clark | Hearing continued - date to be set. |
| 8/09/96 | Gene and Margaret Palmersheim d/b/a G & M Service Mart 8LT593 | 1 | Admin. Order/Penalty | UT | Wornson | Tier 2 received. Negotiating penalty. Placed on State lead. |
| 9/24/96 | North Star Steel Iowa | | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 10/11/96 | DeCoster Farms of Iowa (96-WW-32). | 2 | Admin. Order | AFO | Clark | Hearing continued indefinitely. |
| 10/17/96 | DeCoster Farms of Iowa (Nursery Unit 3 - Wright Co.) | 2 | Permit Revocation | AFO | Clark | Hearing continued indefinitely. |
| 10/28/96 | Fischer Controls International | | Permit Conditions | WW | Hansen | Negotiating before filing. |
| 12/02/96 | Organic Technologies Corp. | 5 | Permit Denial | SW | Murphy | Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97. Affirmed 6/12/98. Appeal to Supreme Court. Briefs filed 2/99. |
| 12/05/96 | Organic Technologies Corp. -----91-SDP-02-94P | 5 | Admin. Order/Penalty Intended Permit Revoc. | SW | Murphy | Proposed decision received 8/1/97; appealed. Affirmed by EPC 11/17/97. Petition for judicial review 12/18/97. Affirmed 6/12/98. Appeal to Supreme Court. Briefs filed 2/99. |
| 2/19/97 | Cliff's Place, Inc. | 1 | Admin. Order/Penalty | WS | Hansen | Compliance initiated. |
| 3/20/97 | Sylvan Acres | 1 | Admin. Order/Penalty | WS | Hansen | Compliance initiated. |
| 7/22/97 | CIPCO | | Construction Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 7/22/97 | Robert P. Frees; Elizabeth R. Mathes | 6 | Admin. Order/Penalty | SW | Tack | Settlement reached. Cleanup underway. |
| 7/30/97 | Country Pumpkin | 4 | Admin. Order/Penalty | WS | Hansen | Returned to compliance for nitrate and bacteria sampling. 12/23/99 - Letter to WS attorney regarding resolution of appeal. 2/14/00 - Letter from attorney accepting Dept. settlement offer. Appeal dismissed by order of ALJ. Penalty payment received 2/22/00. Closed. |
| 8/01/97 | Dodger Enterprises Co., Tire Chop Division; Donald Grell | 2 | Admin. Order | SW | Murphy | Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court. Affirmed 11/8/99. Appealed to Iowa Supreme Court 12/7/99. |
| 8/05/97 | Biovance Technologies | 5 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 8/08/97 | Iowa Waste Systems, Inc.; Fayette Co. Solid Waste Mgmt. Comm. | 1 | Admin. Order/Penalty | SW | Tack | Settlement reached with Fayette County. Hearing for Iowa Waste Systems set for 4/5/00. Amended order appealed 10/29/99. |
| 8/18/97 | Stellar Industries Inc. | 2 | Admin. Order/Penalty | AQ | Preziosi | Penalty payment received 1/14/00. Closed. |

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| 9/17/97 | Keokuk Steel Castings | 6 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 9/25/97 | Iowa Mold Tooling Co., Inc. | 2 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 12/02/97 | Dows, City of | 2 | Admin. Order | WW | Hansen | F.O. 2 inspection 3/98. To be set for hearing. 4/99 - Letter received from City engineer regarding stream study. 7/28/99 - City Engr. Requests new WLA. 8/9/99 - Dept. sent new WLA and resultant permit limits to engr. 12/9/99 City provided stream study. 2/18/00 - Letter to engineer with revised WLA/permit limit results indicating no ammonia nitrogen limits needed for this WWTF. 2/29/00 - Letter to engineer closing appeal. |
| 12/12/97 | Donald E. Grell; Dodger Enterprises, Tire Chop Division | 2 | Notice of Intent to Revoke Solid Waste Permit; Denial of Application for New Waste Tire Mgmt. Permit | SW | Murphy | Proposed decision 6/26/98. Appeal to EPC. Affirmed 9/21/98. Appealed to District Court. Affirmed 11/8/99. Appealed to Iowa Supreme Court 12/7/99. |
| 1/13/98 | DeCoster Farms of Iowa (Nursery #8) (Wright Co.) | 2 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 1/16/98 | Pilgrim Heights Camp | | NPDES Permit Conditions | WW | Hansen | Negotiating before filing. |
| 1/23/98 | Sac City | 3 | Admin. Order/Penalty | WW | Hansen | Status report received from city's consultant. 2/1/00 - Status report on WW compliance requested from FO 3. 2/28/00 - Settlement offer sent to attorney. |
| 1/30/98 | Rockwell City | 3 | Admin. Order/Penalty | WW | Hansen | Meeting on 4/22/98 with city's engineer regarding facility plan. Hearing set for 3/29/00. 2/21/00 - Settlement offer presented to City. 2/28/00 - City's counter offer received. |
| 3/06/98 | Enviro Safe Air, Inc. (98-AQ-05) | 4 | Admin. Order/Penalty | AQ | Brabec | Tentative consent amendment drafted - waiting for return of signed amendment Penalty paid 2/25/00. Settled. |
| 3/16/98 | Pathway Christian School | 6 | Admin. Order/Penalty | WS | Hansen | 3/1/00 - Status report requested of FO. 3/2/00 - Status report received. |
| 4/03/98 | Pictured Rocks Methodist Camp | | Admin. Order/Penalty | WS | Hansen | Facility agreed to install chlorination. FO 2 inspection on 6/29/98 3/1/00 Status report requested of FO. |
| 4/03/98 | Cooperative Oil Company; Mickey Berg | 2 | Admin. Order | UT/WW | Wornson | Compliance complete. Review and close. Monitoring required Spring 2000. |
| 4/23/98 | North Liberty, City of | 6 | Admin. Order | WW | Hansen | 2/29/00 - Letter to City closing appeal. Facility returned to compliance. Closed. |
| 4/27/98 | Weise Corporation | 5 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 5/04/98 | Ben Haven Mobile Home Court | 1 | Admin. Order/Penalty | WS | Hansen | Chlorination system installed by WS. 12/28/99 - WS in compliance. Dept. to send settlement offer regarding penalty. 1/25/00 Payment plan established. 2/14/00 - First penalty installment received. Closed. |
| 7/01/98 | Ag Processing, Inc. | 4 | Permit Conditions | AQ | Preziosi | Negotiations continue. |
| 7/27/98 | Mitchell Dam Bar | | Permit Conditions | WS | Hansen | 1/27/00 - Letter to WS concerning setting appeal for hearing. 2/18/00 - Response received from WS. 2/21/00 - Sent to DIA to be set for hearing. |
| 7/29/98 | Eagle Lane Corporation | 6 | Admin. Order/Penalty | WS | Hansen | 2/2/00 - Compliance status requested from FO and WS. Facility has returned to compliance. 2/15/00 - Letter sent resolving appeal and waiving penalty. Closed. |
| 7/29/98 | Archer Daniels Midland 98-A-507P thru 98-A-515P | 6 | Permit Provisions | AQ | Preziosi | Settlement close. |
| 8/18/98 | University of Iowa | 6 | Permit Conditions | WW | Hansen | Settlement offer sent 10/98. Follow-up letter sent 3/22/99. U of I to submit response to Dept. settlement offer by 5/28/99. Information submitted by U of I. Wastewater staff revised permit in response to information received. |
| 9/29/98 | Randy Foth d/b/a Foth Lumber Co. | 2 | Admin. Order/Penalty | AQ | Kaizer | Settled. Partial penalty payment received. |
| 10/03/98 | Ag Processing, Inc. (Emmetsburg) | 4 | Permit Exemption Denial | AQ | Preziosi | Settlement close. |
| 10/06/98 | M & W Pallett Co. | 6 | Admin. Order | SW | Tack | Clean-up continuing. |
| 10/08/98 | West Liberty, City of | 6 | Admin. Order/Penalty | WW | Hansen | Informal procedures requested. 2/1/00 - Status report requested of FO 6. 2/02/00 - Report received from FO. 2/28/00 - Letter to attorney to schedule meeting resolving appeal. 2/28/00 - Status report concerning I/I work received. |
| 10/09/98 | Elm's Corporation of Linn County (8LTX55) | 1 | Admin. Order/Penalty | UT | Wornson | Compliance initiated. Tanks removed. Tier 2 overdue. Tier 1 submitted 10/14/99. Awaiting review. |
| 10/13/98 | The Legacy Group, L.C.; Easter Lakes Estate Site | 5 | Admin. Order/Penalty | WW | Murphy | Sent to DIA 3/1/00. |
| 11/06/98 | Barr Farm Venture and Mel Foster Co. Properties | 6 | Admin. Order/Penalty | WW | Murphy | Sent to DIA 3/1/00. |
| 11/19/98 | Jacobs Energy Corporation | | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 11/30/98 | Robert Diehl | 5 | Admin. Order/Penalty | WW/WS | Murphy | Construction permit application received. |
| 12/01/98 | Underwood Motel | 4 | Admin. Order/Penalty | WS | Hansen | Sanitary survey completed by F.O. 4. Public notice posted. 12/29/99 WS to connect to regional water by Spring 2000. |
| 12/16/98 | Richard Swailes | | Permit Denial | FP | Clark | Negotiating before filing. |
| 12/24/98 | Keokuk Steel Castings Co., Inc. | 6 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 1/04/99 | Duane Hanson d/b/a Cedar Valley Tire Recycling | 1 | Admin. Order/Penalty | SW | Tack | Default judgment entered. Abatement agreement signed. Penalty will be forgiven upon compliance with abatement agreement. |
| 1/13/99 | Bernadette Ryan | 1 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 1/20/99 | Lonnie King | 5 | Admin. Order/Penalty | AQ/SW | Tack | Negotiating before filing. |
| 2/05/99 | West Union Cooperative Co. | 1 | Admin. Order/Penalty | WW | Murphy | Settlement proposed 9/99. |

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| 2/10/99 | Bawden Printing | | Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 2/23/99 | Dennis Sharkey, Sr. | 1 | Admin. Order/Penalty | AQ/SW | Tack | Proposed decision 1/7/00. \$2,250 penalty imposed. |
| 3/01/99 | Williamsburg Manufacturing | 6 | Admin. Order/Penalty | AQ | Brabec | Penalty paid 2/25/00. Settled. |
| 3/04/99 | Dayton, City of | 2 | Admin. Order/Penalty | WW | Murphy | Engineering report submitted 5/99; 8/99 – under review. |
| 3/08/99 | Peter Bockenstedt | 1 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 3/08/99 | Augustus & Betty Lartius d/b/a Country Terrace Mobile Home Court | 5 | Admin. Order/Penalty | WS | Hansen | Hearing set for 6/23/99. 5/99 WS filed motion for continuance. Dept. filed resistance to continuance motion. Hearing set for 7/19-21/99, cancelled. Default judgment entered against facility owners. Motion to set aside default granted by ALJ. Hearing set for 10/18/ & 19/99. Settled. Administrative consent order with penalty agreed upon. 2/10/00 – Admin. Consent Order sent to facility for signatures. 2/29/00 – No response received. |
| 3/08/99 | Augustus & Betty Lartius d/b/a Country Terrace Mobile Home Court | 5 | Admin. Order/Penalty | WW | Hansen | Hearing set for 6/23/99. 5/99 WS filed motion for continuance. Dept. filed resistance to continuance motion. Hearing set for 7/19-21/99, cancelled. Default judgment entered against facility owners. Motion to set aside default granted by ALJ. Hearing set for 10/18 & 19/99. Settled. Administrative consent order with penalty and compliance schedule agreed upon. 2/10/00 – Admin. Consent Order sent to facility for signatures. 2/29/00 – No response received. |
| 3/16/99 | Des Moines Independent School District – North High School | 5 | Site Registry | HC | Tack | Settlement letter sent by solid waste section 12/20/99. |
| 3/18/99 | Ag Processing, Inc. (Sergeant Bluff) | | Title V Operation Permit Conditions | AQ | Preziosi | Hearing continued. Second settlement meeting set for 1/18/99. |
| 3/23/99 | Matthew M. Daly | 1 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 3/23/99 | Daniel J. Gotto | 1 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 3/31/99 | Woolstock, City of | 2 | Admin. Order/Penalty | WW | Hansen | Compliance initiated by City. To be set for hearing regarding penalty. 1/28/00 – Compliance status report received from FO 2. 2/7/00 – Letter to City advising appeal be set for hearing. 2/18/00 – Sent to DIA to be set for hearing. |
| 4/08/99 | Fayette County Sanitary Landfill Iowa Waste Systems | 1 | Admin. Order/Penalty | SW | Tack | Settlement reached with Fayette Co. Hearing set for 4/5/00 for Iowa Waste Systems. |
| 4/09/99 | Ivan Stoltzfus | 5 | Admin. Order/Penalty | WW | Tack | Hearing continued to 4/21/00. Settlement received. Payment plan started.. |
| 4/15/99 | Robert Simon | 1 | Admin. Order/Penalty | AQ/SW | Tack | Settled. Paying penalty on payment plan. |
| 4/15/99 | Shine Bros. Corp. | | SWA Denial | SW | Tack | Settlement offer pending. |
| 4/15/99 | Shenandoah, City of | 4 | Admin. Order/Penalty | WW | Murphy | Settled. Penalty paid 2/18/00. Closed.. |
| 4/16/99 | Cargill (Sioux City) | 3 | Title V Operation Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 4/26/99 | Gerald and Judith Vens | 6 | Admin. Order/Penalty | FP | Clark | Negotiating before filing. |
| 4/30/99 | Anthony's Resort | 1 | Admin. Order/Penalty | WS | Hansen | WS hired engineer to do engineering report with recommendations for correcting WS deficiencies. Chlorination installed at WS. 1/28/00 – Dept. letter concerning compliance status and setting appeal for hearing. 2/29/00 – Sent to DIA to be set for hearing. |
| 5/06/99 | Hargrave McEleney, Inc. | 6 | Admin. Order/Penalty | WS | Hansen | Amended order to be issued. 2/2/00 – Dept. to contact WS concerning lead and copper sampling. |
| 5/18/99 | Snap-On-Tools Co. | 2 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 5/27/99 | CGB Printing aka Rock Communications | 5 | Admin. Order/Penalty | AQ | Preziosi | Settlement meeting held 1/31/00. Negotiations continue. |
| 5/28/99 | Flying J Inc. | 5 | Admin. Order/Penalty | WW/UT | Murphy | Settlement proposed by Dept. 12/10/99. |
| 6/28/99 | Wilcox All-Pro Tools & Supply | 5 | Admin. Order/Penalty | WW | Tack | New hearing requested by DNR. |
| 6/28/99 | Farmland Industries, Inc. (Eagle Grove) | 2 | Construction Permit Conditions | AQ | Preziosi | Settled. |
| 7/13/99 | Aaron Tolander | 6 | Admin. Order/Penalty | AFO | Clark | Penalty settlement letter sent 3/1/00. |
| 7/16/99 | Fairfield, City of | 6 | Admin. Order/Penalty | AQ/SW | Tack | Settled. Awaiting penalty payment. |
| 7/19/99 | Celotex Corp. (Ft. Dodge) | 2 | Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 7/16/99 | Glidden, City of | 4 | Admin. Order/Penalty | AQ | Breback | Penalty paid 1/27/00. Settled. |
| 7/27/99 | Affordable Asbestos Removal; Jeffry Intlekofer | 6 | Admin. Order/Penalty | AQ | Brabec | Hearing continued until 4/28/00. |
| 8/06/99 | GKN Armstrong Wheels, Inc. | 3 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 8/10/99 | Muscatine County Sanitary Landfill | 6 | Admin. Order/Penalty | SW | Tack | Negotiating before filing. |
| 8/11/99 | Beatrice Group, Inc. | 1 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 8/13/99 | Farmland Foods, Inc. (Dubuque) | 1 | Construction Permit Conditions | AQ | Preziosi | Settlement close. |
| 8/19/99 | Case Corporation | 6 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 8/25/99 | National By-Products, Inc. | 6 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 9/07/99 | Shine Bros. Corp. | 3 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 9/08/99 | Linwood Mining & Minerals | 6 | Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 9/08/99 | Fibre Body | 2 | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 9/09/99 | Winneshiek County Memorial Hospital | 1 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 9/10/99 | Linwood Mining & Minerals | 6 | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 9/13/99 | Eugene P. Reed | 6 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 9/13/99 | CIPCO | 1 | NPDES Permit Conditions | WW | Hansen | 12/29/99 – Appeal reviewed by wastewater permit writer. |
| 9/13/99 | Dave & Theresa Cook d/b/a Curry Environmental Services | 6 | Admin. Order/Penalty | AQ | Brabec | Negotiating before filing. |

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| 9/21/99 | Julie Rowe d/b/a Jewel's Food & Spirits | 1 | Admin. Order/Penalty | WS | Murphy | 12/99 – FO and WS tracking compliance. |
| 9/21/99 | Farmland Foods, Inc. (Denison)) | 1 | Construction Permit Conditions | AQ | Preziosi | Settlement close. |
| 9/24/99 | Lorene Logue; Willy Holmes; Todd Holmes | 5 | Admin. Order/Penalty | AQ | Tack | Negotiating before filing. |
| 9/29/99 | McGregor, City of | 1 | Admin. Order/Penalty | WS | Murphy | 12/99 - FO is monitoring construction progress. |
| 9/29/99 | Armstrong, City of | 3 | Admin. Order/Penalty | WS | Hansen | City has agreed to take action required by order for installation of treatment. 10/14/99 – City completed lead education program. 10/13/99 – Dept. issued construction permit. 12/28/99 – Call from City – construction nearly complete. 1/25/00 – WS returned to compliance. Dept. settlement offer sent to City. 2/9/00 – City response rejecting settlement offer. 2/17/00 – Letter to City regarding setting appeal for hearing. 2/29/00 – Sent to DIA to be set for hearing. |
| 9/30/99 | Rollin McAdams d/b/a McAdams Demolition Co. (Davenport) | 1 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 10/11/99 | Kenny Habben | 2 | Admin. Order/Penalty | AQ | Tack | Settled. Awaiting penalty payment. |
| 10/12/99 | Fernald Water System | 5 | Admin. Order/Penalty | WS | Clark | Negotiating before filing. |
| 10/12/99 | Brown Bottle Restaurant | 1 | Admin. Order/Penalty | WS | Hansen | WS submitted preliminary engineering report regarding nitrate reduction. WS to install an ion exchange unit. Still need to submit construction permit applications and a schedule. Report dated 10/29/99 submitted to Dept. Review completed by Dept. WS engineer. Facility engineer to submit construction permit application and schedule. 1/3 and 1/26/00 – Dept. requested iron and sulfate test. When test results are received Dept. will set due date for submittal of P & S. 2/28/00 – Dept. letter requiring iron and sulfate tests and submittal of plans and specifications for nitrate removal system by 3/10/00. |
| 10/14/99 | Crawfordsville, City of | 6 | Admin. Order/Penalty | WS | Murphy | Settlement demand sent 3/1/00. |
| 10/15/99 | Sac County Golf & Country Club | 3 | Admin. Order/Penalty | WS | Tack | Negotiating before filing. |
| 10/19/99 | Tara Hills Country Club | 1 | Admin. Order/Penalty | WS | Murphy | 12/99 – Facility closed for the season. Chlorination facilities approved. Will check status in Spring 2000. |
| 10/19/99 | Dean Larsen (Martin Marietta) | | Water Use Permit | WR | Clark | Hearing set for 4/6/00. |
| 10/22/99 | Barilla America, Inc. | 5 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 10/22/99 | Robert Fisher | 2 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 10/22/99 | Greenwood Hills Estates, L.C. and GK Properties, Inc. | 5 | Admin. Order/Penalty | WW | Murphy | Negotiating before filing. Site inspected for compliance 12/10/99. |
| 11/03/99 | Cargill, Incorporated (Cedar Rapids) | 1 | Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 11/04/99 | GKN Armstrong Wheels d/b/a Armstrong Rim & Tire | 3 | Admin. Order/Penalty | AQ | Preziosi | Settled. Awaiting penalty payment. |
| 11/10/99 | Michael L. Roberts | 4 | Admin. Order/Penalty | AQ | Tack | Negotiating before filing. |
| 11/12/99 | Osceola, City of | 5 | Admin. Order/Penalty | WW | Hansen | 1/4/00 – FO 5 letter to City requesting complete plan of action by 5/15/00. |
| 11/12/99 | Logan, City of | 4 | Admin. Order | WW | Hansen | City requested new schedule because of additional time needed for condemnation proceedings due to change in statute. 2/22/00 – Dept. requested attorney and engineer submit revised schedule if needed in view of delays in condemnation. 2/28/00 – City submitted amended appeal with revised schedule. |
| 11/12/99 | Cargill, Incorporated (Iowa Falls) | 2 | Title V Operation Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 11/15/99 | Industrial Energy Applications | 1 | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 11/15/99 | Rocky Knoll Mobile Home Park | 2 | Admin. Order/Penalty | WS | Tack | Negotiating before filing. |
| 11/19/99 | Climax Molybdenum Co. | 6 | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 12/01/99 | Iowa Select Farms, L.P./AG Waste Consultants, Inc. | 2 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 12/08/99 | Cargill, Incorporated (Sioux City) | 3 | Permit Conditions | AQ | Preziosi | Negotiating before filing. |
| 12/08/99 | Oakview Construction | 5 | Admin. Order/Penalty | AQ/SW | Tack | Negotiating before filing. |
| 12/10/99 | Leonard Rayhons; Randy Schleusner | 2 | Admin. Order/Penalty | AFO | Clark | Negotiating before filing. |
| 12/13/99 | Omaha Cold Storage Terminals | 2 | Admin. Order/Penalty | WW | Murphy | Sent to DIA 3/1/00. |
| 12/13/99 | Hog Slat | 2 | Admin. Order/Penalty | AQ | Brabec | Settled. Awaiting SEP. |
| 12/17/99 | Edward Degeus | 2 | Admin. Order/Penalty | AQ | Brabec | Negotiating before filing. |
| 12/22/99 | Dr. Michael Miller d/b/a Eastridge Animal Center | 5 | Admin. Order/Penalty | AQ | Preziosi | Negotiating before filing. |
| 1/04/00 | Aaron Berry | 4 | Admin. Order/Penalty | AQ/SW | Tack | Negotiating before filing. |
| 1/06/00 | Wendall Abkes | 2 | Admin. Order/Penalty | AQ/SW | Tack | New case. |
| 1/07/00 | Ft. Dodge, City of | 2 | Admin. Order/Penalty | WS | Murphy | Negotiating before filing. |
| 1/10/00 | Yohn Ready-Mix | 2 | Admin. Order/Penalty | AQ/SW | Tack | Penalty received 2/16/00. Settled. |
| 1/11/00 | Gene Christiansen d/b/a Christiansen Construction Co. | 4 | Admin. Order/Penalty | AQ | Brabec | Beginning negotiations |
| 1/11/00 | Farmland Industries | 2 | Permit Denial | AQ | Preziosi | Negotiating before filing. |
| 1/13/00 | Mark Shipman | 2 | Admin. Order/Penalty | AFO | Murphy | Negotiating before filing. |
| 1/13/00 | Pine Creek Golf Course | 2 | Admin. Order/Penalty | WS | Hansen | Negotiating before filing. |
| 1/18/00 | Four Oaks Farm & Stables | 1 | Tax Certification Denial | SW | Tack | Negotiating before filing. |
| 1/20/00 | New Virginia Sanitary Sewer District | 5 | Admin. Order | WW | Murphy | Negotiating before filing. |
| 1/20/00 | Solar Transport Co. | 2 | Admin. Order/Penalty | UT | Wornson | Negotiating before filing. |
| 1/21/00 | Dave Thompson | 2 | Admin. Order/Penalty | SW | Tack | Negotiating before filing. |
| 1/25/00 | Bonaparte, City of | 6 | Admin. Order/Penalty | AQ/SW | Tack | Cleanup to be completed by 7/1/00. Penalty to be |

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| | | | | | | negotiated upon completion. |
| 1/25/00 | Tire Environmental Services, Inc. | 1 | Permit Conditions | SW | Tack | Negotiating before filing. |
| 2/07/00 | Ledyard, City of | 2 | Admin. Order/Penalty | AQ | Brabec | New case. Settled. Awaiting penalty payment. |
| 2/07/00 | Benefit Water District #2 | 5 | Admin. Order/Penalty | WS | Murphy | New case. Negotiating before filing. |
| 2/10/00 | Holland Contracting Corp. | 2 | Admin. Order/Penalty | AQ | Brabec | New case. Settled. Penalty plan established. |
| 2/11/00 | Steven Reimers | 3 | Admin. Order/Penalty | AQ/SW | Brabec | New case. Negotiating before filing. |
| 2/22/00 | MINSA Corporation | 4 | Admin. Order/Penalty | WW | Murphy | New case. Negotiating before filing. |
| 2/22/00 | Red Oak Lanes, Inc.; Richard Culver | 4 | Admin. Order/Penalty | AQ/SW | Tack | New case. |
| 2/25/00 | Meadow Knolls Addition | 1 | Admin. Order/Penalty | WS | Tack | New case. |
| 2/28/00 | Bee Rite Tire Disposal Inc.; Jerry Yeomans | 5 | Admin. Order/Penalty | SW | Tack | New case. |

Mr. Murphy presented the routine monthly reports.

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MANURE APPLICATOR TRAINING CONTRACT – ISU

Wayne Gieselman, Animal Feeding Operations Coordinator, presented the following item.

Section 455B.203A, Code of Iowa, requires the department to administer a manure applicator certification program. The Code requires the Extension service to cooperate with the DNR in providing continuing education for the certified applicators. The Code further requires that the program for certification be self supporting. In other words, the fee charged for the license must be enough to cover the costs of the program.

Iowa State University provided the educational portion of this program last year and is continuing to do that this year. In fact, training sessions have been held at many locations throughout the state during this winter. Iowa State University has developed the training materials, will hold approximately 59 training sessions for confinement site applicators, has held a satellite training program for commercial manure applicators, and will develop testing materials for use in our field offices to offer tests to applicators who miss the training sessions. Additionally, ISU will make and distribute 99 videotape copies of the the ICN training to their county offices so that it can be viewed by commercial applicators who missed the training or start in the business sometime during the year. The law gives a 30 day grace period for new commercial applicators to work before they are required to have their certification and the videotape allows the county extension offices to allow them to view the training to get certified. The cost for this contract in 2000 is \$76,160.

As further information for you, I am attaching a document that outlines the basic achievements of the program in the first year. You'll note that with our current \$50 license fee and based on a three year program cycle, we project a shortfall of some \$8000 per year. I think this is an important problem, but before we raise fees I want to go through one more year of the cycle. I'm relatively sure that there are still a number of folks out there who need to be certified but haven't gotten the job done yet. If, at the end of next fall, we're still showing this shortfall, we'll need to consider a fee hike.

Mr. Gieselman reviewed the details of the contract and the program.

Motion was made by Rozanne King to approve the contract with ISU for Manure Applicator Certification Training. Seconded by Randal Giannetto. Motion carried with Darrell Hanson abstaining due to a conflict of interest.

Gary Priebe commented that whenever a new proposal is submitted it soon cause a deficit budget and funds need to be increased, and he is opposed to adding an additional fee.

Brief discussion followed regarding complaints about fees.

APPROVED AS PRESENTED

Commissioner Giannetto left the meeting at this point – 3:15 p.m.

SECTION 319 NONPOINT SOURCE POLLUTION CONTROL PROJECT CONTACT – NITROGEN MANAGEMENT INSURANCE PROGRAM

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

Commission approval is requested to enter into a one-year contract for \$50,000 with the Iowa Department of Economic Development (IDED) Foundation to support development of a Nitrogen Management Insurance Program. The IDED Foundation is serving as the contracting and fiscal agent for the consortium of insurance companies and other entities working to develop the Nitrogen Management Insurance Program.

This contract will support the continuation of the Nitrogen Management Insurance Program, which was initiated in March 1999. Contract funds will be used, in conjunction with funding from other agencies and entities, to support the development of on-farm demonstration sites across the state. These demonstration sites are being used to field test the nitrogen management methodologies and determine the adequacy of nitrogen applications. The outcome of this project and the results of the demonstrations will ultimately be utilized to encourage more effective nitrogen use on cropland by producers and result in improved water quality.

This contract will be funded using FY94 EPA Section 319 funds awarded to the Department.

Mr. Murphy explained the program and details of the contract.

Gary Priebe asked if the Department, through this program, is subsidizing large insurance companies to help them write a product they are going to sell.

Director Johnson stated that this is a pilot to see if this kind of program will work, adding that once it is determined it will work the insurance companies and producers will carry it.

Mr. Murphy noted that there are several agencies involved.

Linda King, Department of Economic Development, stated that the IDED has agreed to provide up to \$900,000 over a three year period to match an equivalent contribution from the Iowa Insurance Industry over the same period. She related that Iowa Farm Bureau, American Agra Insurance, and IGF Insurance Company have joined in the consortium and have pledged payment of \$50,000 each.

Rita Venner remarked that the policy they are trying to develop is to prevent the over use of nitrogen.

Motion was made by Gary Priebe to approve the Nonpoint Source Pollution Control Project Contract for Nitrogen Management Insurance Program as presented. Seconded by Rita Venner. Motion carried unanimously.

APPROVED AS PRESENTED

PROPOSED RULE—CHAPTER 61, WATER QUALITY STANDARDS

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Commission will be presented with proposed changes to state Water Quality Standards (WQS). The Department is currently conducting a comprehensive review of Iowa's water quality standards (known as a triennial review) and the proposed changes are the first of several anticipated changes to address comments from the EPA, municipalities, and the general public. The issues included in the initial set of proposed changes include:

- a) changes to ammonia criteria for aquatic life, including establishing seasonal limits;
- b) changes to Class C (drinking water) criteria and implementation procedures;
- c) chlorine demand considerations for wasteload allocations;
- d) changes to the stream flows used for establishing wasteloads;
- e) changes to stream use designations for selected stream segments; and
- f) changes to the aquatic life criteria for aluminum, mercury, dieldrin, lindane, pentachlorophenol, toxaphene, and silver.

A Technical Advisory Committee has reviewed the proposed revisions and has generally concurred with the changes as being proposed.

Mr. Murphy presented an overview of the proposed rules.

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PUBLIC PARTICIPATION (CONTINUED)

Steve Veysey (water quality standards)

Steve Veysey, Ames, told the Commission that the Water Quality Standards and Triennial Review is very important to everyone in the State. He noted that he is representing the Hawkeye Fly Fishing Association today. He spoke about early life stage protection for cold water streams noting that the NE section of Iowa has 103 streams designated as Class B – Coldwater. He related that every one of those streams are designated as a high quality water body. Mr. Veysey stated that anything can be done to protect and preserve the level of water quality in those streams, where it exists now, is supposed to be done. He related that they are not allowed to be degraded just to meet some minimum criteria for that classification. He displayed a map showing Class B (CW) Streams and Trout Reproduction and provided an explanation of same. Mr. Veysey noted that a request has been made to redesignate a section of South Cedar Creek. He related that the City of Garnavillo is requesting the downgrade which will allow the City's wastewater treatment facility greater discharge at higher levels of ammonia and lower levels of dissolved oxygen. He stated that his organization is investigating whether this is a viable fishery and the effect on the cold water section of the stream, which is downstream from the municipal treatment plant. In closing, he commended the staff in DNR for their work on the Triennial Review.

SOURCE WATER ASSESSMENT AND PROTECTION PROGRAM – IMPLEMENTATION STRATEGY FOR THE STATE OF IOWA

Dennis Alt, Section Supervisor, Water Supply Section, presented the following item.

The Commission will be provided with copies of the Department's Source Water Assessment and Protection Program and Implementation Strategy for informational purposes. The Source Water Assessment and Protection Program was written to fulfill the requirements of Section 1453 (a) of the Amended Safe Drinking Water Act of 1996. Section 1453 (a) requires all States with primary enforcement responsibility for public water systems to carry out a source water assessment program within the State's boundaries.

Environmental Protection Agency guidance requires that each State Source Water Assessment Program include a plan, developed with public input, for the delineation, contaminant source inventory, and susceptibility analysis of each public water system. In addition, the State must have a method by which to notify the public of the source water assessment results. The Department sought public input during the development of the Strategy through the use of a combined Technical and Citizen Advisory Group. Following incorporation of the group's comments, the plan was presented at three public meetings in Storm Lake, Des Moines, and Iowa City during June of 1999. The EPA approved the plan on January 11, 2000.

The initial phase of the strategy (delineation, contaminant inventory, susceptibility and public information) will be carried out by the Department's Geological Survey Bureau (GSB) and private consultants using \$1.68 million in set-aside funds from the Drinking Water State Revolving Loan capitalization grant. The Geologic Survey Bureau will conduct the initial phase for every groundwater system in the state and four private consultants will conduct it for the 24

public water supply systems that use surface water sources. The Commission previously approved contracts with the consultants.

Following the initial phase, public water systems will be encouraged to voluntarily refine their assessment and implement source water protection measures for their local communities. The Iowa Wellhead Protection Plan (previously approved by the Commission as a separate document) is included as an appendix to the Strategy because EPA has made a distinction between source water protection and wellhead protection. Since more than 95% of the public water supplies in Iowa utilize groundwater, the Wellhead Protection Plan has been included as a tool for the source water protection planning of groundwater systems.

The Department intends to seek formal Commission approval of the source water strategy at its April 2000 meeting. Because of the volume of the strategy, copies will not be mailed out with the April agenda.

Mr. Alt reviewed details of the program noting that the document dealing with the source water plan covers about 20 pages. He related that the plan itself is a two-part plan dealing with wellhead protection and source water protection. He noted that if the Department does not have an approved plan they would lose about 2.5 million dollars in SRF monies. He stated that his item will come before the Commission for approval next month.

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AIR QUALITY TITLE V FEES BUDGET REVIEW

Pete Hamlin, Bureau Chief, Air Quality Bureau, presented the following item.

The Commission will be asked to consider the SFY 2001 Air Quality Bureau Budget in anticipation of setting the annual Title V fee.

The Title V fee is based on the first 4,000 tons of each regulated air pollutant emitted each year from each major stationary source in the state. The fee is used to support the development and administration of activities associated with the Title V Operating Permit Program.

Annually on March 31, sources required to obtain Title V Operating Permits submit to the Department annual emissions statements for the previous calendar year. The Department totals these emissions and provides that information to the Commission no later than the May meeting. The Commission will then be asked to set the fee based on the program budget.

| Item | Cost Center & Expenditure Category | Activity | SFY 2000 | SFY 2001 March EPC | SFY 2001 - SFY 2000 | Explanation of Change from SFY 2000 to SFY 20001 |
|------|---|----------|-------------|--------------------------|---------------------------|---|
| | <u>Air Title V - I&E (1556)</u> <i>FTE</i> | | <i>1.00</i> | <i>1.00</i> | | |

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|-----|--|-----|---------------------|---------------------|---------------|---|
| 1 | Personnel | 101 | 49,468 | 49,468 | 0 | |
| 2 | Travel in state | 202 | 355 | 158 | -197 | Reduces budget from \$355 to \$158 per FTE |
| 3 | State Vehicle Operation | 203 | 0 | 214 | 214 | Costs Apportioned by FTE and Addition of 3 vehicles |
| 4 | Vehicle Depreciation | 204 | 0 | 462 | 462 | Costs Apportioned by FTE and Addition of 3 vehicles |
| 5 | Travel out of state | 205 | 1,331 | 1,553 | 222 | Increases budget to \$1553 per FTE |
| 6 | Office Supplies | 301 | 0 | 780 | 780 | Costs Apportioned by FTE |
| 7 | Equipment maintenance | 303 | 0 | 1,342 | 1,342 | Costs Apportioned by FTE |
| 8 | Other supplies | 308 | 0 | 62 | 62 | Costs Apportioned by FTE |
| 9 | Printing and binding | 309 | 0 | 208 | 208 | Costs Apportioned by FTE |
| 10 | Uniforms | 312 | 0 | 40 | 40 | Costs Apportioned by FTE |
| 11 | Communications | 401 | 0 | 1,786 | 1,786 | Costs Apportioned by FTE |
| 12 | Rent | 402 | 0 | 3,507 | 3,507 | Costs Apportioned by FTE |
| 13 | Outside services | 406 | 0 | 1,228 | 1,228 | Costs Apportioned by FTE plus New Clippings |
| 14 | ITS Reimbursement | 416 | 0 | 100 | 100 | Costs Apportioned by FTE |
| 15 | Equipment | 501 | 0 | 0 | 0 | |
| 15a | Computer hardware purchase | 501 | [0] | [0] | 0 | |
| 15b | Computer software purchase | 501 | [0] | [0] | 0 | |
| 15c | Office equipment & furniture | 501 | [0] | [0] | 0 | |
| 16 | Equipment Noninv. | 503 | 0 | 613 | 613 | |
| 17 | Indirect charges | 999 | 5,491 | 5,674 | 183 | Increased indirect, from 11.1% of personnel to 11.47%. |
| | Total | | 56,645 | 67,195 | 10,550 | Costs Apportioned by FTE |
| | <u>Air Quality Program (7220)</u> | | | | | |
| | <i>FTE</i> | | <i>21.50</i> | <i>16.50</i> | | Move 5 FTE to Title V cost center (Minus 5 FTE) |
| 18 | Personnel | 101 | 1,094,709 | 840,126 | -254,583 | Move 5 FTE to Title V cost center (Minus 5 FTE) |
| 19 | Travel in state | 202 | 7,633 | 2,607 | -5,026 | Reduces budget from \$355 to \$158 per FTE, App. costs by FTE, shift to Title V |
| 20 | State Vehicle Operation | 203 | 0 | 3,531 | 3,531 | Costs Apportioned by FTE and Addition of 3 vehicles |
| 21 | Vehicle Depreciation | 204 | 0 | 7,623 | 7,623 | Costs Apportioned by FTE and Addition of 3 vehicles |
| 22 | Travel out of state | 205 | 35,338 | 30,284 | -5,055 | Costs Apportioned by FTE |
| 23 | Office supplies | 301 | 22,704 | 12,870 | -9,834 | Reduces budget from \$1056 to \$780 per FTE |
| 24 | Facility maintenance | 302 | 500 | 330 | -170 | Costs Apportioned by FTE |

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| 25 | Equipment maintenance | 303 | 3,180 | 22,143 | 18,963 | Costs Apportioned by FTE |
| 26 | Other supplies | 308 | 968 | 1,023 | 56 | Costs Apportioned by FTE |
| 27 | Printing and binding | 309 | 5,000 | 3,432 | -1,568 | Costs Apportioned by FTE |
| 28 | Uniforms | 312 | 645 | 660 | 15 | Costs Apportioned by FTE |
| 29 | Communications | 401 | 31,109 | 29,476 | -1,633 | Costs Apportioned by FTE |
| 30 | Rent | 402 | 68,840 | 57,861 | -10,980 | Costs Apportioned by FTE |
| 31 | Utilities | 403 | 6,000 | 2,946 | -3,054 | Costs Apportioned by FTE |
| 32 | Professional Services (Total) | 405 | 560,407 | 943,988 | 383,581 | |
| 32a | Linn County Local Program Agreement | 405 | [90,875] | [238,500] | 147,625 | Additional 20K AAM & \$100,000 for air toxic monitoring. |
| 32b | Polk County Local Program Agreement | 405 | [117,852] | [172,470] | 54,618 | Additional 20K AAM |
| 32c | Computer Consultant Services | 405 | [0] | [5,893] | 5,893 | Costs Apportioned by FTE |
| 32d | NOWCC | 405 | [26,000] | [36,154] | 10,154 | Costs Apportioned by FTE |
| 32e | UHL Agreement | 405 | [325,680] | [490,971] | 165,291 | 48% AAM, 35% Stack testing, 50% Smoke School, 50% Emission Inventory, 100% Asbestos |
| 33 | Outside services | 406 | 78,000 | 23,115 | -54,885 | |
| 33a | Misc. | 406 | [0] | [3,762] | 3,762 | Miscellaneous costs |
| 33b | Temporary Services | 406 | [0] | [17,932] | 17,932 | Costs Apportioned by FTE |
| 33c | Priority Express | 406 | [0] | [1,421] | 1,421 | Costs Apportioned by FTE |
| 34 | Advertisement in publications | 408 | 450 | 1,238 | 788 | Costs Apportioned by FTE |
| 35 | Reimbursement to other agencies | 414 | 6,500 | 10,533 | 4,033 | Costs Apportioned by FTE |
| 36 | ITS Reimbursement | 416 | 3,000 | 1,650 | -1,350 | Costs Apportioned by FTE |
| 37 | Equipment | 501 | 0 | 138,256 | 138,256 | |
| 37a | Air monitoring & Lab equipment | 501 | [0] | [80,000] | 80,000 | Air Quality monitoring |
| 37b | Computer hardware purchase | 501 | [0] | [42,632] | 42,632 | Costs Apportioned by FTE |
| 37c | Computer software purchase | 501 | [0] | [12,678] | 12,678 | Costs Apportioned by FTE |
| 37d | Office equipment & furniture | 501 | [0] | [2,946] | 2,946 | Costs Apportioned by FTE |
| 38 | Equipment Noninv. | 503 | 0 | 10,115 | 10,115 | Costs Apportioned by FTE |
| 39 | Indirect charges | 999 | 121,513 | 96,362 | -25,150 | Increased indirect, from 11.1% of personnel to 11.47%. |
| Total | | | 2,046,495 | 2,234,986 | 188,492 | |
| <u>Air Title V Program (7230)</u> | | | | | | |
| <u>FTE</u> | | | 33.50 | 38.50 | | Added 5 FTE to cost center |
| 40 | Personnel | 101 | 1,628,678 | 1,883,261 | 254,583 | Added 5 FTE to cost center |
| 41 | Travel in state | 202 | 7,710 | 6,083 | -1,627 | Reduces budget from \$355 to \$156 per FTE, Appor. costs by FTE, shift to Title V |

| | | | | | | |
|-----|--|-----|-----------|-----------|----------|---|
| 42 | State Vehicle Operation | 203 | 6,000 | 8,247 | 2,247 | Costs Apportioned by FTE |
| 43 | Vehicle Depreciation | 204 | 12,960 | 17,787 | 4,827 | Costs Apportioned by FTE |
| 44 | Travel out of state | 205 | 69,589 | 59,791 | -9,798 | Reduces budget from \$1331 to \$723 per FTE |
| 45 | Office supplies | 301 | 26,000 | 30,030 | 4,030 | Costs Apportioned by FTE |
| 46 | Facility maintenance supplies | 302 | 500 | 770 | 270 | Costs Apportioned by FTE |
| 47 | Equipment maintenance | 303 | 68,189 | 51,667 | -16,522 | Costs Apportioned by FTE |
| 48 | Other supplies | 308 | 5,068 | 2,387 | -2,681 | Costs Apportioned by FTE |
| 49 | Printing and binding | 309 | 12,000 | 8,008 | -3,992 | Costs Apportioned by FTE |
| 50 | Uniforms | 312 | 3,060 | 1,540 | -1,520 | Costs Apportioned by FTE |
| 51 | Communications | 401 | 60,119 | 68,777 | 8,658 | Costs Apportioned by FTE |
| 52 | Rent | 402 | 112,234 | 135,009 | 22,775 | Costs Apportioned by FTE |
| 53 | Utilities | 403 | 4,060 | 6,875 | 2,815 | Costs for Ambient Monitoring Utilities split evenly between 7220 & 7230 |
| 54 | Professional Services | 405 | 3,032,329 | 2,987,329 | -45,000 | |
| 54a | Construction Permit Review Contract | 405 | [300,000] | [0] | -300,000 | Contract Terminated |
| 54b | Voluntary Operating Permit Review Contract | 405 | [200,000] | [0] | -200,000 | Contract Terminated moved item to 54q |
| 54c | Computer Consultant Services | 405 | [220,000] | [389,107] | 169,107 | Costs Apportioned by FTE and Carry forward of \$175,000 |
| 54d | SPARS Client Training | 405 | [96,000] | [96,000] | 0 | Based on 400 people @ \$240/person. |
| 54e | Linn County local program agreement | 405 | [376,000] | [293,553] | -82,447 | Covers the Title V program and associated ambient monitoring costs. |
| 54f | Polk County local program agreement | 405 | [441,313] | [305,806] | -135,507 | Covers the Title V program and associated ambient monitoring costs. |
| 54g | Environmental Liaison | 405 | [80,851] | [100,000] | 19,149 | Increased small business assistance |
| 54h | UNI Small Business Assistance agreement | 405 | [364,350] | [361,000] | -3,350 | |
| 54i | UHL Agreement | 405 | [727,515] | [803,823] | 76,308 | 52% non-PM2.5 AAM, 65% of Stack Testing, 50% emission Inventory, 50% Smoke School, AAM increase 150K for 2 FTE and expenses |
| 54j | Earth Month Projects | 405 | [25,000] | [0] | -25,000 | |
| 54k | EPA Airnow Project | 405 | [0] | [40,000] | 40,000 | Provide ozone data in real time on the internet. |
| 54l | NOWCC | 405 | [95,000] | [84,360] | -10,640 | Adds portion of one NOWCC staff previously covered by EPA regional funds |
| 54m | KDSM - Fox 17 (Planet Patrol) | 405 | [3,375] | [3,375] | 0 | |
| 54n | E-Resources (WHO EarthCenter 13) | 405 | [2,925] | [3,725] | 800 | Increase public awareness |

| | | | | | | |
|---|-------------------------------------|-----|------------------|------------------|---------------|---|
| 54o | Image Scanning | 405 | [100,000] | [50,000] | -50,000 | Decreased scanning needs |
| 54p | Attorney General's Office | 405 | [0] | [30,000] | 30,000 | |
| 54q | Merit Resources Positions | 405 | [0] | [426,579] | 426,579 | 10 PEO's for VOP, regional modeling & planning, and Air monitoring |
| 55 | Outside services | 406 | 300,012 | 238,446 | -61,566 | Costs Apportioned by FTE |
| 55a | Misc. | 406 | [12,000] | [8,778] | -3,222 | Costs Apportioned by FTE |
| 55b | Computer maintenance (Software) | 406 | [218,626] | [168,337] | -50,289 | New Eastman Kodak Maintenance Contract for SPARS |
| 55c | Computer Training | 406 | [15,000] | [15,000] | 0 | |
| 55d | Temporary Services | 406 | [50,000] | [42,928] | -7,072 | Costs Apportioned by FTE |
| 55e | Priority Express | 406 | [4,386] | [3,403] | -983 | Costs Apportioned by FTE |
| 56 | Advertisement in publications | 408 | 6,100 | 2,888 | -3,213 | Costs Apportioned by FTE |
| 57 | Reimbursement to other agencies | 414 | 31,000 | 25,217 | -5,783 | Costs Apportioned by FTE |
| 58 | ITS Reimbursement | 416 | 1,500 | 3,850 | 2,350 | Reflects actual costs |
| 59 | Equipment | 501 | 408,979 | 243,770 | -165,209 | |
| 59a | Air monitoring & Lab equipment | 501 | [150,000] | [120,000] | -30,000 | Facility oriented monitoring |
| 59b | Computer hardware purchase | 501 | [211,979] | [86,365] | -125,614 | Costs Apportioned by FTE |
| 59c | Computer software purchase | 501 | [30,000] | [30,351] | 351 | Dispersion Modeling Equipment plus normal computer purchases apport. by FTE |
| 59d | Office equipment & furniture | 501 | [17,000] | [7,054] | -9,946 | Costs Apportioned by FTE |
| 60 | Equipment Noninv. | 503 | 30,000 | 23,601 | -6,400 | Costs Apportioned by FTE |
| 61 | Other expenses | 602 | 13,000 | 13,000 | 0 | |
| 62 | Indirect charges | 999 | 180,783 | 216,010 | 35,227 | Increased indirect, from 11.1% of personnel to 11.47%. |
| Total | | | 6,019,868 | 6,034,340 | 14,472 | |
| <u>PM 2.5 Monitoring (7240)</u> | | | | | | |
| <i>FTE</i> | | | 0.00 | 0.00 | | |
| 63 | Professional Services | 405 | 328,528 | 328,528 | 0 | |
| 63a | Professional services - other | 405 | [10,400] | [10,400] | 0 | |
| 63b | UHL Agreement | 405 | [243,128] | [243,128] | 0 | |
| 63c | Polk County Local Program Agreement | 405 | [40,000] | [40,000] | 0 | |
| 63d | Linn County Local Program Agreement | 405 | [35,000] | [35,000] | 0 | |
| 64 | Equipment | 501 | 0 | 0 | 0 | |
| Total | | | 328,528 | 328,528 | 0 | |
| <u>Air Quality Field Program</u> | | | | | | |

| | | | | | | |
|-----|---|-----|----------------|----------------|------------|--|
| | <u>(7419)</u> | | | | | |
| | <i>FTE</i> | | 3.00 | 3.00 | | |
| 65 | Personnel | 101 | 177,214 | 177,214 | 0 | |
| 66 | Travel in state | 202 | 1,863 | 1,863 | 0 | |
| 67 | State Vehicle Operation | 203 | 0 | 0 | 0 | |
| 68 | Vehicle Depreciation | 204 | 0 | 0 | 0 | |
| 69 | Travel out of state | 205 | 750 | 750 | 0 | |
| 70 | Office Supplies | 301 | 50 | 50 | 0 | |
| 71 | Facility Maintenance | 302 | 0 | 0 | 0 | |
| 72 | Equipment Maintenance | 303 | 0 | 0 | 0 | |
| 73 | Other supplies | 308 | 0 | 0 | 0 | |
| 74 | Printing and binding | 309 | 50 | 50 | 0 | |
| 75 | Uniforms | 312 | 500 | 500 | 0 | |
| 76 | Communications | 401 | 6,500 | 6,500 | 0 | |
| 77 | Rent | 402 | 0 | 0 | 0 | |
| 78 | Utilities | 403 | 0 | 0 | 0 | |
| 79 | Professional Services | 405 | 0 | 0 | 0 | |
| 80 | Outside services | 406 | 0 | 0 | 0 | |
| 81 | Reimbursement to other agencies | 414 | 650 | 650 | 0 | |
| 82 | ITS Reimbursement | 416 | 4,435 | 4,435 | 0 | |
| 83 | Equipment | 501 | 8,870 | 8,870 | 0 | |
| 84 | Equipment Noninv. | 503 | 0 | 0 | 0 | |
| 85 | Other expense | 602 | 0 | 0 | 0 | |
| 86 | Indirect charges | 999 | 19,671 | 20,326 | 656 | Increased indirect, from 11.1% of personnel to 11.47%. |
| | Total | | 220,553 | 221,208 | 656 | |
| | <u>Air Title V Field Program</u> | | | | | |
| | <u>(7421)</u> | | | | | |
| | <i>FTE</i> | | 8.50 | 8.50 | | |
| 87 | Personnel | 101 | 483,783 | 483,783 | 0 | |
| 88 | Travel in state | 202 | 5,279 | 5,279 | 0 | |
| 89 | State Vehicle Operation | 203 | 4,500 | 4,500 | 0 | |
| 90 | Vehicle Depreciation | 204 | 9,000 | 9,000 | 0 | |
| 91 | Travel out of state | 205 | 2,125 | 2,125 | 0 | |
| 92 | Office Supplies | 301 | 850 | 850 | 0 | |
| 93 | Facility Maintenance | 302 | 0 | 0 | 0 | |
| 94 | Equipment Maintenance | 303 | 0 | 0 | 0 | |
| 95 | Other supplies | 308 | 400 | 400 | 0 | |
| 96 | Printing and binding | 309 | 50 | 50 | 0 | |
| 97 | Uniforms | 312 | 1,100 | 1,100 | 0 | |
| 98 | Communications | 401 | 18,500 | 18,500 | 0 | |
| 99 | Rent | 402 | 0 | 0 | 0 | |
| 100 | Utilities | 403 | 0 | 0 | 0 | |
| 101 | Professional Services | 405 | 0 | 0 | 0 | |
| 102 | Outside services | 406 | 500 | 500 | 0 | |
| 103 | Reimbursement to other | 414 | 1,850 | 1,850 | 0 | |

| | | | | | | |
|------|---|-----|-----------------|----------------|--------------|--|
| | agencies | | | | | |
| 104 | ITS Reimbursement | 416 | 12,565 | 12,565 | 0 | |
| 105 | Equipment | 501 | 25,130 | 25,130 | 0 | |
| 106 | Equipment Noninv. | 503 | 500 | 500 | 0 | |
| 107 | Other expenses | 602 | 0 | 0 | 0 | |
| 108 | Indirect charges | 999 | 53,700 | 55,490 | 1,790 | Increased indirect, from 11.1% of personnel to 11.47%. |
| | Total | | 619,831 | 621,621 | 1,790 | |
| | <u>105 Federal Grant & MOE</u> | | | | | |
| 109 | Total Revenue | | 2,271,216 | 2,453,800 | 182,584 | |
| 109a | General Fund | | [1,350,000] | [1,350,000] | 0 | |
| 109b | Federal 105 air grant | | [921,216] | [1,003,800] | 82,584 | State 105 allocation in FFY 2000 was \$1,020,700 \$14,500 is taken of top of grant award for CenSARA and \$2,400 for SAS licenses. |
| 109c | Balance Forward | | [0] | [100,000] | 100,000 | Carry forward \$100,000 for Linn County Air Toxics monitoring |
| 110 | Total Expenditures | | 2,267,048 | 2,456,195 | 189,147 | |
| 110a | Air Quality Program (7220) Total | | [2,046,495] | [2,234,986] | 188,492 | |
| 110b | Air Quality Field Program (7419) Total | | [220,553] | [221,208] | 656 | |
| | Revenues - Expenditures | | 4,168 | -2,395 | | |
| | <u>Title V</u> | | | | | |
| 111 | Total Revenue | | 6,582,074 | 6,731,059 | 148,985 | |
| 111a | Balance forward | | [1,099,520] | [562,459] | -537,061 | Carry forward \$175,000 for computer consultant service |
| 111b | Title V fees | | [5,282,554] | [5,968,600] | 686,046 | Originally estimated 234,720 tons for 2000. Revised tons - 228,682 for SFY 2000 and SFY 2001 |
| 111c | Fund interest | | [200,000] | [200,000] | 0 | |
| 112 | Total Expenditures | | 6,696,345 | 6,723,156 | 26,812 | |
| 112a | Air Title V - I&E (1556) Total | | [56,645] | [67,195] | 10,550 | |
| 112b | Air Title V Program (7230) Total | | [6,019,868] | [6,034,340] | 14,472 | |
| 112c | Air Title V Field Program (7421) Total | | [619,831] | [621,621] | 1,790 | |
| | Revenues - Expenditures | | -114,271 | 7,903 | | |
| | <u>103 Federal Grant</u> | | | | | |
| 113 | Total Revenue | | 477,996 | 330,054 | -147,942 | |
| 113a | Balance Forward | | [147,942] | [0] | -147,942 | |

| | | | | | |
|------|-------------------------------------|--|------------------|------------------|----------------|
| 113b | Federal 103 air grant | | [330,054] | [330,054] | 0 |
| 114 | Total Expenditures | | 328,528 | 328,528 | 0 |
| 114a | PM 2.5 Monitoring (7240) | | [328,528] | [328,528] | 0 |
| | Total | | | | |
| | Revenues - Expenditures | | 149,468 | 1,526 | |
| | <i>Total Air Quality FTE</i> | | <i>67.50</i> | <i>67.50</i> | 0 |
| | <i>Total Air Quality Bureau FTE</i> | | <i>56.00</i> | <i>56.00</i> | 0 |
| | Total Air Quality Budget | | 9,291,920 | 9,507,879 | 215,959 |

Mr. Hamlin discussed the SFY 2001 budget in detail. He pointed out that the bureau is only asking for a \$26,000 increase, out of a 6.79 million dollar budget. He noted that the Department did a six month study of the staff on where they spent their time between the Title V portion of the program or the EPA portion. He related that as a result of that study some of the costs will be reallocated between those two cost centers. Mr. Hamlin reported that an item will come before the Commission in May with Tonnage Fee recommendations.

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NATIONAL OLDER WORKERS CAREER CENTER (NOWCC) CONTRACT AMENDMENT

Mike Murphy, Bureau Chief, Compliance and Enforcement Bureau, presented the following item.

The Department is requesting approval to amend an existing contract with the National Older Workers Career Center (NOWCC) for employment of 3 part-time clerical/data entry staff and one part-time water supply specialist within three of the EPD field offices (Manchester, Washington, and Des Moines). Funding is available within the wastewater and water supply programs respectively for these positions.

The National Older Worker Career Center, a nonprofit agency, operates the Senior Environmental Employment (SEE) Program. The program serves a diverse group of individuals age 55 and over who are retired, semi-retired, or unemployed and want to continue as productive members of their communities. It should be noted that this organization also provides individuals from other segments of the workforce. The SEE Program now serves approximately 800 workers in 29 locations nationwide including four positions with DNR's Air Quality Bureau. The Commission approved an amendment to the contract at its November 1999 meeting, for employment of a qualified individual in a technical report writer position within the Waste Management Assistance Division's Waste Reduction Assistance Program (WRAP).

By way of background, each of the six EPD field offices is responsible for entry of data received from 1700+ "NPDES" [permitted wastewater discharge] facilities each month. In the past each office had a one-half time data entry operator on staff to perform this function. These positions

were lost about ten years ago as a result of a state government “reduction in force”. Since that time environmental specialists in the field offices have had to perform this task, reducing the time they could spend in the field performing their professional duties. In addition, with one secretary for each field office, due to normal absences, e.g. sick leave and vacation, each office is without a secretary a fairly significant part of the time. This leaves professional staff to answer phones, etc. during these absences. Also, there has been some growth in field office staffing in recent years, placing more burdens on the secretaries. To alleviate some of these burdens, we have allowed the three larger field offices to hire temporary help. This has proven unsatisfactory because it is difficult to maintain continuity of staffing, and there is a fairly large “learning curve” to get data entry staff trained to perform this function efficiently.

In addition, The Des Moines field office is interested in retaining the services of a retired, certified water supply operator to respond to reports of unsafe bacterial quality at public water supplies in the region, to help locate possible causes and to provide technical assistance services to the operators of those supplies.

The National Older Worker Career Center has demonstrated that it has the experience and expertise to recruit individuals qualified to fulfill the responsibilities of technical job assignments such as this, and provides employment benefits that help assure some continuity in staffing. The ultimate hiring decision for individual positions rests solely with the Department.

This amendment does not include services beyond June 30, 2000. Services for the next fiscal year will be covered in a new contract, which will be brought to the commission for approval in the next few months. Addition of positions for the other three field offices will be explored in our budget-setting process for next year, and may be included in the new contract.

Mr. Murphy explained the contract in detail.

Motion was made by Darrell Hanson to approve the contract amendment with the National Older Workers Career Center. Seconded by Elizabeth Christiansen. Motion carried unanimously.

APPROVED AS PRESENTED

REFERRALS TO THE ATTORNEY GENERAL (CONTINUED)

Linwood Mining and Minerals Corp.

Chairman Townsend reviewed that this referral was previously tabled and would need to be removed from the table.

Motion was made by Rita Venner to remove the Linwood Mining & Minerals Corp. referral from the table. Seconded by Kathryn Murphy. Motion carried unanimously.

Mr. Murphy reported that staff is has been meeting with the company and will handle the case administratively, therefore he will withdraw the request for referral at this time.

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| REFERRAL WITHDRAWN |
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Peter Orth, d/b/a Strauss Oil

Mr. Murphy briefed the Commission on the history of this case involving underground storage tank violations.

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| <i>Motion was made by Rozanne King for referral to the Attorney General. Seconded by Kathryn Murphy. Motion carried unanimously.</i> |
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| REFERRED |
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Norman Klynsma, d/b/a OK One Stop

Mr. Murphy briefed the Commission on the history of this case involving underground storage tank violations.

Brief discussion followed.

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| <i>Motion was made by Kathryn Murphy for referral to the Attorney General. Seconded by Rozanne King. Motion carried unanimously.</i> |
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| REFERRED |
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LEGISLATION UPDATE

Larry Wilson, Deputy Director, distributed copies of DNR bills with associated brief comments. He presented details on the current status of each bill listed.

EPC 2000 Legislative Session Update

| | DNR Bills / Brief Explanation | Comments |
|----------------|---|---|
| HF2457 | WASTE TIRES/HHM SUPPORT | Subcommittee work on House side with Rep. Gipp. |
| SF2326 | Increases dollars deposited into waste tire | Funds currently at \$500K out of Infrastructure Fund. |
| HSB671 | management fund by \$1 million for the next | House placed bill on unfinished business calendar, |
| SSB3084 | two years, and would allow for the DNR to | includes amendment to use IA Bus. Loan repayments |
| | receive \$175K rather than \$50K. Second part | for regional collection centers. |
| | of bill expands language in household | Senate passed bill with amendment to use IA Business |
| | hazardous materials fund to allow for support | Loan repayment funds for regional collection centers. |
| | of regional collection centers. | |

SF2036 REPEAL OF MISSISSIPPI COMPACT Passed Senate, and passed out of House State Gov.
 SSB3007 Repeals section of code which set up committee. Alive on House floor.
 Mississippi Compact, which was never adopted
 by surrounding states.

HF2438 SUSPENSION OF PERMITTING Passed House and passed out of Senate Natural
 HSB681 **HAZARDOUS WASTE FACILITIES** Resource and Env. committee. Alive on Senate floor.
 SSB3085 Extends DNR suspension for permitting of
 hazardous waste facilities, until such time as
 DNR requests approval to take program back
 from Federal Govt.

DNR BILLS - DEAD

SF2090 ENVIRONMENTAL AUDITOR Passed Senate NR&E Comm. 2/3/00
 HSB533 **REGISTRATION** House subcommittee refused to bring out of Hosue
 SSB3008 Change optional environmental auditor committee.
 certification program to optional environ. Next attempt to try and attach bill to another DNR bill.
 auditor registration program.

HSB574 **OUTDOOR LIGHTING EFFICIENCY** No Action. House considered, then dropped.
 SSB3035 Legislative findings of outdoor light fixture
 efficiency and goals for local and state
 regulations regarding outdoor light efficiency.

HSB672 **TRANSFER STATION SITING** Subcommittee dropped. Some support, but Senate and
 SSB3083 **REQUIREMENTS** House not moving study bills.
 Adds transfer stations in code to the siting Dept. agreed to work with transfer station lobby over
 requirements the same as for sanitary landfills the next year to determine best siting requirements.
 and infectious waste incinerator projects.

HSB673 **TRANSFER STATION TONNAGE FEES** Subcommittee dropped. Support for equity of all trash
 SSB3106 Includes transfer stations as entity required to being assessed tonnage fee.
 pay tonnage fee on solid waste. No support this year. Work over interim.

SF2311 REPEAL OF SPECIAL WASTE Will need to get support from landfills to ensure
 HSB674 **AUTHORIZATIONS** passage. Working with solid waste associations to
 SSB3124 Delete section requiring department adopt rules ensure landfills understand no protections are lost.
 for special waste authorization program. Dept. agreed to work with landfills to develop
 appropriate program/planning process for landfills to
 identify how they will work with special wastes.

| | | |
|---------|---|---|
| HSB682 | HAZARDOUS WASTE FEES | Both House and Senate not dealing with any fee increases. |
| SSB3122 | The bill doubles the fee for those who generate and transport hazardous waste, \$10 to \$20 per ton, up to 2500 tons. The bill doubles all fees for entities required to obtain US EPA permits \$25 to \$50 if not more than one thousand kilograms. For those over one thousand kilograms a month, the fee increases from \$250 to \$500. | Senate Subcommittee requested information on fee numbers and uses of fees. |
| HSB690 | ENVIRONMENTAL PROTECTION FUND | No Action. No new programs/fees. |
| | Creation of Environmental Protection Fund supported with monies from currently credited to the waste volume reduction and recycling fund, household hazardous waste account, and from fees/fines collected for permitting activities. (no new fees being established) | |
| HSB705 | PRIVATE SEWAGE DISPOSAL CLEANING FEES | No Action. No new fees. |
| | Increase of license fee from \$25 to \$50 for private sewage disposal system cleaners. Increase of civil penalty from \$25/day to one time \$5000 fine. | |
| HSB706 | PRIVATE SEWAGE DISPOSAL SYSTEM CERTIFICATION PROGRAM/DISCLOSURE | No Action. No new programs/fees. |
| | Creates a certification program for contractors, which construct, maintain, and reconstruct private sewage disposal systems. The second part of the bill requires private well and/or sewage disposal system inspections at the time of sale, with report of findings. Also includes written notification by property transferor to transferee on how property will be serviced with water and sewer. | |
| | CIVIL PENALTY INCREASES | No Action. No new fees. |
| | Increases maximum civil penalties for environmental violations to \$25K. Including air quality, water quality and animal feeding operations, water allocation and floodplain control, solid waste, underground storage tanks, and hazardous waste. | |

ENVIRONMENTAL SITING OF PROPOSED FACILITIES **No Action. No new programs/fees.**

Creation of environmental siting resource center within DNR, to establish GIS based service to assist with proper siting of facilities in relationship to federal, state or county parks, preserves, rec. areas or facilities, protected waters and public use areas.

CONFINED ANIMAL FEEDING OPERATIONS **No Action. Refused to consider.**

Changes to law concerning AFO's, including greater separation distances, ban of devel. within 500 year floodplain, addition of phosphorus levels to equation for manure applications, and responsibility of violations to owners as well as contractors who operate confinements.

| | Other bills of interest | Comments |
|------------------|--|---|
| HF2393 | CERTIFICATION FEES FOR OPERATORS Requires that only one confinement site manure applicator fee is required for a family, including business partners. | MMPPassed House and and passed out of Senate Ag committee on 3/15/00. |
| HF2423 | BROWNFIELDS REDEVELOPMENT FUND A bill creating a brownfield redevelopment committee. program and fund and a brownfield redevelopment advisory council. Sets up a program fund in Dept. of Econ. Development to provide assistance to governmental agencies to clean up contaminated sites. Funded out of Infra. Fund. | Passed out of House, currently in Senate Small Business |
| HF2530 SF2349 | ELECTRIC RESTRUCTURING Deregulation/restructuring of electric utility industry in state. Set up of \$53 million dollar fund for renewable portfolio standard and efficiency programs. | House file passed House Commerce committee, placed on unfinished business calendar. Senate file passed Senate Commerce committee, placed on unfinished business calendar. |

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|--------|---|
| SF466 | <p>AGRICHEMICAL REMEDIATION ACT Passed the Senate in 1999, passed out of House Ag committee in 2000, with amendments to remove fees for where there has been contamination due to a clean up fund. Alive on House floor.</p> <p>release of pesticides or fertilizers. The bill establishes a board within IDALS to oversee the development of the program, consult with IDALS to establish clean up standards, and prioritization of sites.</p> |
| SF2249 | <p>BIO-BASED FLUIDS & LUBRICANTS Passed the Senate and passed out of House State Government committee. Alive on House floor.</p> <p>FROM SOYBEANS</p> <p>A bill relating to a state agency purchasing preference for bio-based hydraulic fluids, greases, and other industrial lubricants.</p> |
| SF2256 | <p>SOYDIESEL FUEL PILOT PROJECT Passed the Senate and passed out of House Transportation committee. Alive on House floor.</p> <p>A bill for an act establishing a pilot project requiring that the IDOT purchase soydiesel fuel for use in some of its vehicles.</p> |
| SF2349 | <p>SWINE PROCESSOR CONTRACT LIMITS Passed the Senate and passed out of House Ag committee. Alive on the House floor.</p> <p>A bill prohibiting a processor from contracting for the care and feeding of swine in this state, making penalties applicable, and providing an effective date.</p> |
| SF2371 | <p>ION IOWA CLEAN WATER POLICY BILL Passed Senate and passed House Environment committee with amendment, alive on House floor.</p> <p>A bill for the establishment of a water quality initiative program by IDALS and IDNR, defining and providing for the use of credible data for quality control and assurance procedures, and providing for other properly related matters, and providing an applicability date.</p> |

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NEXT MEETING DATES

April 17, 2000

May 15, 2000

June 19, 2000

ADJOURNMENT

Motion was made by Gary Priebe to adjourn the meeting. Seconded by Elizabeth Christiansen. Motion carried unanimously.

With no further business to come before the Environmental Protection Commission, Chairman Townsend adjourned the meeting at 4:00 p.m., Monday, March 20, 2000.

Paul W. Johnson, Director

Terrance Townsend, Chair

Rozanne King, Secretary

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